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MEMOIRS

OF THE

LIFE

OF THE RIGHT HONORABLE

WILLIAM PITT.

1759 - 1806

BY GEORGE TOMLINE, D.D. F.R.S.

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RIGHT HONORABLE WILLIAM PITT.

CHAPTER THE EIGHTH:

1786.

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THE only two events of a public nature, which took place during the recess of parliament, of sufficient importance to be mentioned, were, a commercial treaty with France, and a convention with Spain.

By the eighteenth article of the definitive treaty of peace between Great Britain and France in 1783, it was agreed, that immediately after the exchange of the ratifications, commissioners should be appointed for the purpose of settling new arrangements of commerce, which should be concluded within two years from the first of January 1784. The long animosity

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and rivalry, which had subsisted between the two nations, and the little trade they had carried on with each other since the revolution, even in the intervals of peace, rendered this a measure, which, from the complicated interests it involved, and from the want of any precedent as a guide, required much investigation and thought; and it was impossible, amidst other more urgent matters, to bring the business to a termination within the stipulated time. Mr. Pitt having at length found leisure to make himself perfectly acquainted with this important subject, Mr. Craufurd was first employed to treat with the French ministers. He made, however, but little progress; and in the beginning of 1786, Mr. Eden, who had long directed his attention to the affairs of trade, and who was now come over to administration*, was sent to Paris, with full instructions and powers to enter into a negotiation. Many difficulties occurred, all of which, by the address of Mr. Eden, and the advice of Mr. Pitt, with whom he kept up a constant communication, were, at the end of a few months, surmounted; and on the

* Mr. Beresford, of Ireland, was the person through whose intervention Mr. Eden came over to administration. Mr. Eden, in his first letter to Mr. Pitt, suggested a wish to be speaker of the house of commons, if there should be an opening; but to this idea Mr. Pitt gave no encouragement. It was then in contemplation to create a new office for him, as a sort of general superintendant over the collection of the revenue. This plan being abandoned, it was at last determined that he should be sent to negotiate the treaty of commerce in France, a business to which he was extremely well suited. He was afterwards successively, ambassador in Spain and at the Hague, joint postmaster general, and created first an Irish and then a British peer, by the title of lord Auckland, during the first administration of Mr. Pitt, by whom he was likewise much consulted on subjects of finance.

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26th of September a treaty of navigation and commerce, to continue in force twelve years, was signed at Versailles; and on the 15th of the following January, a convention, by which numerous prohibitions were removed, and the conditions, upon which the different articles of merchandize were to be mutually admitted into the respective countries, were fixed.

The other event was the settlement of a convention between the kings of Great Britain and Spain, signed in London on the 14th of July, by which it was agreed, that the English settlers should relinquish the Mosquito shore*, which was hereafter to be occupied exclusively by Spaniards; and on the other hand, certain advantageous concessions were made to the king of Great Britain, relative to the limits between the Spanish and English territories, the cutting of every species of wood, and other accommodations in that part of America. The object of this convention, which had reference to the sixth article of the treaty of peace in 1783, between Great Britain and Spain, was, to prevent any future misunderstanding and dispute between the subjects of the two kingdoms, and to secure the continuance of peace. The negotiation respecting this convention was some time depending, and was carried on partly in London, and partly at Madrid, under the superintendance and direction of Mr. Pitt.

Besides these public events, I have to notice a most severe private calamity which at this time befell Mr. Pitt—the loss of his only remaining sister lady Harriot Eliot, who died on the 25th of September, five days after the birth of her first child. It was my melancholy office to attend this very superior and

* There were about 200 white settlers, and 1000 negroes.

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truly excellent woman in her last moments; and afterwards to soothe, as far as I was able, the sufferings of her afflicted husband and brother—sufferings which I shall not attempt to describe. It was long before Mr. Pitt could see any one but myself, or transact any business except through me. Lady Harriot had been an inmate in his house till within some months of her death; and with the warmest feelings of mutual affection they had always lived upon terms of the utmost confidence. Never were brother and sister more worthy of each other. Mr. Eliot had been a fellow collegian with Mr. Pitt, and his most intimate friend; a circumstance which made this connexion more gratifying to both, and the dissolution of it more painful. From this moment Mr. Eliot took up his residence in Mr. Pitt's house, and they continued to live like brothers *.

Parliament met on the 23d of January 1787; and the

* Mr. Eliot never recovered his former cheerfulness and spirits, nor could he bring himself again to mix in general society. He passed great part of his time in my family, both in town and country; and seemed to have a peculiar satisfaction in conversing, unreservedly, upon the subject, which his countenance and manner indicated to be always present to his mind, with Mrs. Tomline, who from having been the intimate friend of his lamented wife, could appreciate his loss and deeply shared in his affliction; and who, at his, and at Mr. Pitt's request, was godmother to his daughter, with the dowager lady Chatham. A strong sense of religion led him to submit, with resignation, to the will of the Supreme Disposer of all events, and to exert himself in the discharge of the duties belonging to his station in life. But severe and continued grief gradually impaired a constitution naturally strong; and, in the opinion of his physicians, brought on a complaint, which, after several months of agonizing pain, put a period to his existence, in the autumn of 1797. He left the dowager lady Chatham, lord Chatham, Mr. Pitt, and myself, executors of his will, and guardians and trustees of his beloved daughter, who was married, in 1806, to colonel, now sir William Pringle, K.C.B.

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authority of the legislature being necessary to carry into execution the commercial treaty and convention with France, by imposing such duties as had been agreed upon, the king, in his speech from the throne, recommended the subject to the early and serious consideration of the two houses; and it was the first business brought before the house of commons.

Although the coalition administration was in office, when the definitive treaty was signed, and the English ambassador then at Paris, conformably to one of its provisions, had made overtures to the French ministers, relative to a reciprocal commercial arrangement, yet Mr. Fox objected to the present treaty, upon the general ground of its being a novel system, and a dangerous departure from the established doctrines of our forefathers, and from the principles upon which our commerce had hitherto been conducted. He contended, that France and England were natural and unalterable enemies; that it was essential to the safety and independence of England to regard France with jealousy and distrust; and that to endeavor to maintain friendly intercourse with that kingdom, was equally vain and contrary to sound policy.

Mr. Pitt entered into a full defence of the principle and terms of the treaty. He would not admit, that there was any thing in the situation or character of France and England, which made them necessarily hostile to each other—his mind revolted from the idea, that any nation could be unalterably the enemy of another—it had no foundation in experience or history—it was a libel on the constitution of political societies, and supposed the existence of diabolical malignity in the original frame of mankind. He reminded Mr. Fox, that when

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secretary of state he had himself recognized and acknowledged the necessity of renewing and strengthening the commercial intercourse between the two kingdoms; nay, he had, by an express article of the definitive treaty, bound down this country to make a commercial treaty with France in the course of two years; and the English ambassador at Paris had, by his direction, taken active steps to accomplish that object. He maintained, that the treaty would not prevent the exercise of a proper degree of caution and watchfulness; that it would quiet no well-founded jealousy; that it would slacken no necessary exertion, nor retard any provident preparation; that it would not prevent alliances with other states, while in fact nothing could tend more powerfully to render the present peace permanent, than the habits of amicable and advantageous intercourse; that such habits must have a powerful influence upon the political disposition of the two countries towards each other; that the quarrels between France and England had not only too long continued to harass those two great and respectable nations themselves, but had frequently embroiled the peace of Europe, and had even disturbed the tranquillity of the most distant parts of the world; that they had by their past conduct acted as if they were intended by nature for the destruction of each other; but he hoped the time was now come, when they would justify the order of the universe, and, by a wise attention to their own real interests, shew, that they are better calculated for the more amiable purposes of friendly and useful connexion. He observed, that the relative circumstances of the two countries afforded reason to believe, that a commercial treaty mutually beneficial, might be framed;

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that France had the advantage in soil and climate, being by the dispensation of Providence gifted, perhaps more than any other country upon earth, with what makes life desirable in point of natural produce, the most fertile vineyards and the richest harvests; that Great Britain, though less blessed by Heaven in these respects, yet possessing the happy freedom of her political constitution, and the equal security of her laws, had, by her steady exertions and enterprizing spirit, arrived at a confessed superiority in her manufactures and artificial productions, and having risen to an unparalleled state of commercial grandeur, had acquired the ability of furnishing her neighbour with ornaments and embellishments, the effects of skilful industry and ingenious workmanship, in exchange for her natural luxuries, which our refinements had converted into necessaries; that thus, each having its own distinct staple, and being capable of supplying what the other wanted, they did not clash in their great and leading interests, and might, like two rich traders in different branches, enter into a traffic, which would encrease the opulence and prosperity of both; that allowing the importation into England of certain French articles hitherto prohibited, and lowering the duties upon others, must cause the present profits of smugglers hereafter to flow into the national exchequer*; that trade with France

* A large quantity of French cambrics was used in England, the whole of which (the importation being prohibited) was smuggled; and, by the treaty, cambric was to be admitted, under a moderate duty. Four millions of gallons of French brandy, in a year, were supposed to be smuggled into England; and only about 600,000 or 700,000 gallons were legally imported. By the treaty, the duties upon brandy were to be considerably reduced, which would, probably, have the effect of greatly increasing the legal importation.

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must, from its vicinity, yield a certain and expeditious return, and by adding to the revenue would better enable the nation to carry on war, when war could no longer be avoided; that it would be the parent of immediate wealth to individuals, and the nurse of future strength and security to the public. He did not hesitate, he said, to deliver his firm opinion, in the eyes of France, and while the measure was depending, that the treaty, though advantageous to her, would be more so to England France would procure a market of eight millions of persons: England a market of 24 millions. France would gain a market for her produce, which employed comparatively few hands in the preparation, gave a very trifling encouragement to navigation, and afforded little to the state: England would gain a market for her manufactures, which employed many hundred thousands of her inhabitants, and advanced her maritime strength, by collecting materials from every corner of the world; while every article, in every stage of its progress, contributed largely to the state. It was indeed in the nature and essence of an agreement between a manufacturing country, and a country abounding with natural productions, that the advantages should preponderate in favour of the former.

Scarcely an objection was made to any of the specific duties settled by the treaty. Comprehensive as it was, no complaint was made by a single class of manufacturers or merchants against the provisions, which concerned their own branch of trade. All were convinced, that their several interests were sufficiently consulted, and each hoped to be benefited by the encreased consumption of their respective articles of commerce; while the public at large felt a consolation and pride in reflecting, that,

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within so short a period after the empire had been struggling for its very existence, in an arduous and protracted contest against enemies in every quarter of the globe, without the support of a single ally, and so soon after it had been dismembered of a large portion of its dominions, it was raised to such rank and importance, that its antient rival, laying aside her former animosity, was ready to enter into a friendly connexion upon liberal and beneficial terms; and ample justice was done to the illustrious statesman, to whose wisdom and energy the country was indebted for this improvement; and whose capacious and enlightened mind was equally manifest, in measures of the most extensive operation, and in the minute details, by which the interchange of a great variety of articles of trade and manufactures was to be regulated, with reciprocal advantage to the contracting parties.

The only petition presented to the house of commons, upon the subject of this treaty, was from a few members of the chamber of commerce in London, requesting farther time for the consideration of its terms; but it appeared not to deserve any attention, as it did not contain a single objection, and the treaty had then been before the public nearly five months. It was indeed well known, that the treaty had been fully considered by the merchants and manufacturers of every part of the kingdom; and that this was a petition from a few individuals, connected with opposition, for the sole purpose of creating delay.

In arranging the conditions of this treaty, great care was taken not to interfere with existing treaties, or to give offence to other countries, by any superior indulgence granted to France. Upon this principle a power was reserved to England

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to continue to Portugal, the privilege she had enjoyed since the Methuen treaty* in 1703, of having her wines admitted into England upon duties one-third less than those upon French wines, in return for which England was allowed to import into Portugal a large quantity of her manufactures. The duty upon French wines was, by the French treaty, lowered to the present duty upon Portuguese wines, which latter it was therefore necessary to reduce, in order to preserve the spirit of the Methuen treaty.

In consequence of repeated infractions of that treaty on the part of Portugal, and particularly by her refusal to admit Irish upon the same terms as English manufactures, negotiations between that country and England were at this time depending, the result of which, Mr. Fox contended, ought to be known, before parliament expressed any opinion upon the French treaty; but Mr. Pitt replied, that this was by no means necessary, since, in whatever manner the negotiations with Portugal might end, it would be wise to confirm the treaty with France, which might indeed enable government to negotiate more advantageously with Portugal; and it was of importance, that parliament should come to a speedy decision respecting the French treaty, to relieve merchants and manufacturers from their present suspense, and to authorize them to export their goods to France, for which they were already prepared.

Upon this and other points relative to the French treaty, there were several divisions in the house of commons, in all which Mr. Pitt prevailed by large majorities; and the house of Lords having also given their sanction to the measure, the two houses, on the 8th of March, presented a joint address to

* So called from the name of the person who negotiated the treaty.

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the king, in which they returned their most grateful acknowledgements to his majesty, for the fresh proof of his constant attention to the welfare and happiness of his subjects, in having concluded a treaty of navigation and commerce with the most christian king, so well calculated to promote a beneficial intercourse between Great Britain and France, and to give additional permanence to the blessings of peace.

This address was moved in the house of commons by Mr. Blackburne, member for Lancashire, and seconded by Captain Berkeley, member for Gloucestershire, (two of the greatest manufacturing counties in the kingdom,) both of whom, as well as several members of other commercial places, declared, that the treaty was highly approved by their respective constituents. Captain Berkeley, after expressing his belief, that this was the best and most popular commercial treaty into which this country had ever entered; and after producing proofs of the grateful sense which the manufacturers of Gloucestershire entertained of the wise and meritorious conduct of Mr. Pitt in forming such a treaty, added, that their approbation was the more valuable, as it was well known, that the general impression in the minds of the inhabitants of the county of Gloucester had been adverse to Mr. Pitt, when he first came into office, but that they now confessed themselves converts to his spotless integrity; and were convinced that he was heir of his great father's eminent virtues and talents, and had no object in view but the good of his country.

The next business which Mr. Pitt brought before the house of commons was, his celebrated plan for the consolidation of the different duties in the three great branches of the revenue,

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the customs, the excise, and the stamps; a subject necessarily connected with the public funds and the national debt, for the payment of the interest of which those duties were the main security. The encreased commerce of the country on the one hand, and its accumulated burdens on the other, the various additions which had been made to the national income, by repeatedly augmenting almost every subsisting duty, and the concomitant progression of the resources from which that income was supplied, had so widely exceeded the expectations of our ancestors, and all the grounds of estimate in their system of finance, that the principles which they adopted as suited to the then narrow limits of the public exigency and receipts, were no longer in any degree applicable to the present enlarged scale either of the trade or of the revenue of the kingdom. This will appear from a short statement relative to the custom-house duties, to which I am desirous of calling the attention of the reader, that he may judge of the magnitude and importance of this measure.

Duties of import and export are unquestionably of very antient date in this country; we find, indeed, testimony of their being enjoyed by the crown, and not as a right recently obtained, as far back as our authentic records go. The earliest statutes in the printed collection are in the time of Henry 3; and in the 11th year of that reign, in the act "for the king's farmers to accompt," mention is made of "the principal collectors of wool," who are made to answer for every other charge in the ship "whereof custom is due, and for the whole receipt." Other statutes follow of a general nature; and in the next reign, that of Edward 1, acts passed granting to the king certain custom duties, but there was no book of rates before the first of

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Mary. There is a reference to that book in the preface to a book of rates printed in 1583, which is extant, as are others published in 1604, 1642, and 1653. It is probable, that the custom duty on imports was three-pence in the pound upon the value of the commodity, previously to queen Mary's reign. The act of tonnage and poundage 12 Car. 2, granting certain specified duties on articles imported and exported, may be considered as the foundation of the present customs. Two other acts imposing duties of customs, passed in a subsequent part of the same reign, and two more in that of James the second; and after the commencement of the national debt, under William the third, this principle of taxation was resorted to in every fresh subsidy granted for the payment of the interest of the several loans, which were successively negotiated. In some instances these duties were encreased by a per-centage on the sums already paid, and in others by imposing a farther duty upon the same article, according to its value, its bulk, its weight, or its number; and as the trade of the country was extended, every new article of export or import afforded a fresh object of taxation. In process of time these additions became so numerous and complicated, that the several branches of the custom duties, which were obliged to be kept distinct by the officers, amounted to 68; and there were articles subject to 14 separate duties, infinitely difficult to be calculated, from the minute fractions in most of them: even so trifling a commodity as a pound of nutmegs paid nine different duties *.

* I am indebted to the late Mr. Rose for this detail, and for other financial statements which I have introduced in the course of this work. Mr. Rose's information upon these subjects, and his attachment to Mr. Pitt, are equally well known.

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The whole system was indeed so intricate and involved, that a merchant, if he could have spared time to make the different computations, and to attend at the different departments of the custom-house, could scarcely, from his own knowledge, have been able to ascertain the amount of all the duties which he had to pay. He was therefore driven to the necessity of applying for, and relying upon, the direction and assistance of the officers of the customs, who from their situation were more conversant with the business, and by daily experience had acquired a greater facility in making the proper calculations; and who had moreover the means, in various ways, of expediting or retarding these complicated proceedings. Thus, the merchants were in some respects left at the mercy of the custom-house officers; and the latter, who were intended to be a check upon the former, in fact, and almost unavoidably, became their agents; a practice repugnant to every principle of reason and policy, and which must obviously be attended with consequences detrimental to the revenue.

The revenue also suffered materially, by the mode of collecting the duties payable according to the value of the articles, which was, in many cases, estimated in a manner very liable to error and fraud.

These inconveniences, and others of a similar nature, though to a less extent, in the excise and stamps, had long been the subject of complaint; and an intention had frequently been expressed, under different administrations, of providing a remedy for an evil so severely felt by the trading interest, and so injurious to the revenue. But, upon a closer examination, it appeared a work of so much labour, and so many difficulties

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presented themselves, that no one had ventured to engage in an undertaking, which must not only introduce a change in almost every tax, and alter the mode of keeping all the public accounts belonging to the great sources of revenue, but also involve a variety of considerations respecting the national income and national creditors. Not even a preparatory step having been taken by any of his predecessors in office, it remained for Mr. Pitt to ascertain, by actual investigation, whether there were any difficulties really insuperable: and he determined to make the experiment.

After a full and complete inquiry into every part of this extensive and complicated business, by repeated conferences with the most intelligent persons employed in collecting and distributing the different branches of the revenue, and after devoting much time and thought in endeavouring to form an arrangement, which should answer the great purpose in view, without being liable to any serious objection, he submitted to the house of commons the following plan, on the 26th of February. He proposed, that all the existing duties should be abolished, and that in their stead should be substituted one single duty upon each article, amounting as nearly as possible to the various duties it now paid; in doing which, fractions were to be changed for the nearest integer numbers, usually taking the higher rather than the lower number, by which the revenue would gain about 20,000*l.* a year. And he farther proposed, that, instead of keeping separate and distinct funds as at present, the produce of all taxes and duties whatever should form one general fund, to be called the consolidated fund, out of which the public creditors of every description were to be

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It was obvious, that by this arrangement the security of every public creditor would, in some degree, be affected; but Mr. Pitt contended, that the state had a right, consistently with good faith to its creditors, to make such alterations in the nature of its securities, as it might judge necessary or expedient; provided that, in every such alteration, care was taken to substitute a security substantially equivalent to that which was removed. To dispute this right of the legislature to modify the security which it afforded to the public creditors, would, if carried to its full extent, absolutely preclude the possibility of a change being made in any tax, when once imposed. To obviate, however, every imaginable objection, on the head of public faith, to the new system, Mr. Pitt proposed, that in the event of all the several funds, when consolidated, becoming insufficient to defray the interest of the public debt, the deficiency should be made good out of the supplies of the year.

It has been mentioned in a former chapter, that many of the subsidies were appropriated to the payment of certain annuitants; and as some of these annuitants were entitled to priority of payment, a particular provision was necessary for this class of public creditors. The privilege of prior payment arose from the terms of the several loans, by which certain funds were raised for the payment of the interest of such loans, and the surplusses were directed to be carried to the old aggregate fund, out of which other annuitants were to be paid. This right of priority could be maintained as effectually, by paying all the annuitants out of one general fund, as by first paying

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some out of the separate funds, and the rest out of the surplusses of those funds, provided that out of the general fund the first payments were actually made to the annuitants entitled to that priority. In point of fact, however, the annuitants were not paid out of the respective funds appropriated to their different annuities, but every part of the business, relative to the national debt, was already conducted at the bank, nearly in the same manner it would be, when the whole of the revenue should be consolidated into one general fund. The annuitants were scarcely aware of their own privilege; and deriving no advantage from it, considered themselves upon the same footing as the other creditors of the state. But although this was really the case, Mr. Pitt thought it right to obtain the consent of all holders of stock, the interest of which was charged upon appropriated duties; and therefore he proposed, that if they did not signify their dissent to the governor and company of the bank of England, before the first of the following June, they should be deemed to have consented to the plan—such was Mr. Pitt's scrupulous regard to public credit, and his anxiety to remove every apprehension, and to obviate every objection, upon that delicate subject.

Mr. Pitt added several other regulations of a beneficial nature, connected with the main object of the plan. The multiplicity of oaths at the custom-house, was justly complained of as leading to frequent perjury. Under the existing laws the value of goods subject to a duty ad valorem (in the custom-house phrase) was ascertained by the oath of the importer; but provision was now made, that in future the duty should be regulated by a written declaration of the value, by the owner or his

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agent; and to secure the revenue, the custom-house officer was authorized, if he suspected any fraud, to take the goods for the public at the price of ten per cent above the value declared; and again, to secure the vigilance of the custom-house officer, he was to have a moiety of any sum for which the goods might be sold above the declared value and the ten per cent.

Money arising from life annuities not claimed for three years, of which a large sum was accumulated, was to be paid over to the commissioners for the reduction of the national debt; and money arising from casual or unappropriated revenue, which had frequently lain dormant for a considerable time in the exchequer, till voted specially for the public service, was to be carried from time to time to the consolidated fund.

In former administrations, when taxes were imposed to pay the interests of loans, it was seldom or never known, whether the produce of those taxes was equal to the charge incurred; and it had been discovered, after Mr. Pitt came into office, that there were instances, towards the end of the American war, of the produce of a particular duty having been diminished by an additional tax imposed upon the article: Mr. Pitt therefore provided, that there should be laid annually before parliament, an account of all future additions to the annual charge of the public debt, by the interest of any loan which shall have been negotiated within ten years, together with an account of the produce, in the preceding year, of any duties which shall have been imposed, or of any additions which shall have been made to the revenue, for the purpose of defraying any charge occasioned by such loans respectively.

He also proposed, that accounts should be kept of the

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produce of those duties which were the hereditary property of the crown, but, for the life of the king, formed a part of the income of the public, in consequence of a fixed sum having been granted to his majesty for defraying the expences of the civil list *, that, in the event of a demise, the interest of the successor might be clearly known and preserved.

After explaining these provisions, which he wished to form part of the bill, he acquainted the house, that having stated the general outlines of his plan, he should not at present enter into the detail of the several resolutions necessary to carry it into execution, which were in reality nearly 3000; it was, he said, his intention to trouble the house at some future opportunity, with his sentiments upon such as were of most consequence; and he pledged himself, that he would not suffer a single one of the whole number, which was likely to produce any variety of opinion, to pass without calling the attention of the house particularly to it, that a matter of such importance might have the most ample and wary discussion in all essential points. He assured the house, that he had himself given no moderate share of attention to this business: that he had not left one person unconsulted, from whom any information could be obtained; that the plan had been referred to the commissioners of the boards of revenue, who had given it their unqualified approbation; and that the greatest diligence had

* The first establishment of a civil list was in the time of William the third, when it was fixed at 700,000 *l.* a year. In the first year of every subsequent reign a grant has been made for the same purpose, in lieu of the hereditary revenue. The sum granted to George the third was 800,000 *l.* which was afterwards increased to 900,000 *l.* a year.

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been used to circulate it among the most intelligent and respectable of those who were immediately concerned in its operation and effects, the merchants and traders, by whom it had been received with the highest satisfaction: he could not therefore but flatter himself, that he came forward supported by the best of all possible authorities, the information of the most enlightened persons in all parts of the business, and the universal consent of those who were most interested in the measure. But as it was a question of such vast moment, and ran into so very extensive a detail, he could not but earnestly request the house to pay it the most serious regard in all its branches, that the good intentions of those, who were instrumental in framing it, might not in any instance be frustrated by mistakes, inaccuracies, or even clerical errors, to which so very various and complicated a subject must be liable. He should content himself for the present, with moving a general preliminary resolution, confined to the main principle of the plan: and should allow time, before he again submitted the subject to the house, for a full consideration of the long printed list of articles, which were to be included in the different resolutions, that gentlemen might direct their attention to those particulars, of which they were best qualified to form a judgment.

Immediately after Mr. Pitt had moved a resolution "that all duties of customs, excise, and stamps, do cease and determine, and that other duties be substituted in their stead," Mr. Burke rose and declared, that the measure itself was so obviously necessary, beneficial, and desirable, and the right honorable gentleman had opened it with such extraordinary clearness

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and perspicuity, that he thought it did not become him, or those, who, like him, unfortunately felt it to be their duty frequently to oppose the measures of government, to content themselves with a sullen acquiescence; but it behoved them to rise up manfully, and, doing justice to the right honorable gentleman's merit, to return thanks, in behalf of themselves and the country, for having, in so masterly and intelligible a manner, brought forward a plan of consolidation of duties, which promised ease and accommodation to the merchant, and to all those concerned in the trade and commerce of the kingdom, and advantage and encrease to the revenue. Sir Grey Cooper*, who was also an opposition member, said, that Mr. Pitt had stated and explained the whole proposition, and all its parts, with so much knowledge and perspicuity, and thrown a matter of great difficulty and complexity into so clear an arrangement and perspective, that, as far as he at present understood it, the plan commanded his entire approbation, if that was of any value. He had always conceived, that the chief difficulty in the formation and execution of a plan for the consolidation of the duties, was, the necessity of changing and altering the appropriation of those duties which were specifically destined by acts of parliament for the security of the creditors of the state, at different periods, particularly such as, anterior to the establishment of the sinking fund in the time of George the first, had, as the right honorable gentleman very fairly stated, a priority and preference in the payment of the interest of their debts; but

* Sir Grey Cooper had been secretary of the treasury 16 years, and was one of those, who, during that period, had frequently admitted the necessity of consolidating the duties.

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CHAP. VIII. 1787. Mr. Pitt, he said, had provided for this difficulty in a manner unexceptionable and perfectly satisfactory. Mr. Thornton, an eminent merchant in the city of London, and member for Hull, one of the principal trading towns in the kingdom, confirmed Mr. Pitt's statement, relative to the trouble and inconveniences experienced from the complicated and very perplexed state of the custom-house duties; and declared, that he had conversed with several intelligent officers of the customs, and many respectable merchants, upon the proposed plan of consolidation, all of whom agreed, that it would be a most essential accommodation to the business of shipping, entering, and landing of goods. Mr. Fox candidly acknowledged, that he thought exactly with the right honorable gentleman, who had so clearly and perspicuously opened the plan to the house; and that the objection, which he had entertained, respecting the appropriated funds and public creditors, was totally done away by the intended provisions on that subject.

The duties to be imposed in consequence of the commercial treaty with France, varied, in respect to many articles, from the general rates; and Mr. Pitt proposed to add a separate schedule for them at the end of the act, that there might be only one law to refer to in all cases. This, however, was strongly objected to, on the ground of their being distinct measures; and it was asserted, that the blending them together could only be done with a design of keeping the commercial treaty, as much as possible, out of sight: to which Mr. Pitt replied, that as far as the settlement of duties was concerned, they were parts of the same system, and could not with propriety be divided. He added, that the general merits of the

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commercial treaty had been already decided upon; and that by his proposal there would be the same opportunity of offering opposition or amendment to any particular resolutions which related to that subject, as if they were to form a distinct bill. There were two divisions in favor of the whole being incorporated into one bill, in one of which the numbers were 137 and 64, and in the other 184 and 65. Mr. Pitt, in the different stages of the business, explained all his numerous resolutions, and all the various articles comprehended in his plan, to the entire satisfaction of the house; and the bill passed without the slightest objection to the consolidation of the duties, which, it was universally acknowledged, would afford great convenience and dispatch at the custom-house, and also be useful in the collection of the other branches of the revenue, while the security of the public creditors would be preserved and improved. Not a single stockholder, who had a right to priority of payment, objected to the plan.

Mr. Pitt, in opening the budget on the 20th of April, informed the house, that the flourishing state of the revenue would enable him to provide for all the services of the current year, and apply the million towards the reduction of the national debt, without any loan, or the imposition of any new tax: he expressed the greater satisfaction in making this statement, as it had not yet been found practicable to reduce the army and navy to the intended peace establishment*; and as the revenue last year had been materially

* The excess of the navy service above the estimate of the select committee, which Mr. Pitt professed to follow, was 486,000 *l.* and of the army 231,169 *l.*

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affected by two circumstances, a considerable suspension of trade while the commercial treaties* were depending, and uncommonly bad crops in the West Indies, which, in the single article of sugar, had caused a deficiency in the customs of 350,000*l.* Notwithstanding this excess in the public expences, and these unforeseen defalcations in the public income, both of which were of a temporary nature, the exchequer afforded a surplus of 91,000*l.* after providing for all the services of the year, the ways and means amounting to 6,767,000*l.* and the supplies to 6,676,000*l.* the particulars of which two sums Mr. Pitt enumerated with his usual readiness and perspicuity. He considered the revenue as decidedly improving, and as likely to encrease materially with the new spring which trade must necessarily experience, in conseque nce of the commercial treaty with France.

Mr. Fox and Mr. Sheridan would not admit, that the finances of the kingdom were in so good a condition as Mr. Pitt represented; and after pointing out what they denominated errors and fallacies, called upon him to impose additional taxes to supply the alleged deficiency. Mr. Pitt defended his estimates and statements, and contended that it was the duty of a chancellor of the exchequer to endeavor to find out the means of giving vigor to the collection of taxes already established, and thus to render them more productive, rather than to multiply the burdens of the people.

In making this observation, Mr. Pitt probably had in his contemplation, among other measures, a bill, which he intro-

* Besides the treaty with France, commercial treaties with Spain and Portugal were depending.

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duced a few days afterwards, for the purpose of authorizing the board of treasury to let out to farm the duty upon post horses; and, nothing of this kind having ever been adopted in this country, he had given previous notice of his intention, that the house might consider the general idea, before the plan itself was actually proposed. He now stated, that the fraudulent practices respecting this tax were matter of such notoriety, that he believed they had not escaped the notice of a single gentleman who heard him. The tax was indeed paid by the traveller, but through a collusion between the collectors and the innkeepers, a large proportion of it never found its way into the exchequer. To correct so great an abuse, and to secure to the public the receipt of the money, which the individual was compelled to pay, he proposed that the kingdom should be divided into districts, and that the duty for each should be let by auction for three years, under an expectation, that the tax would be let nearly for its real value, as the contractors would have an interest in enforcing the strict and regular payment of the duty. To make it certain, however, that the revenue should not suffer by this experiment, the tax for each district was to be put up at the greatest sum it had ever yet produced in that district. The whole produce of the tax was only 166,000*l.* a year, and the expence of collecting it was 17,000*l.* a year, being more than ten per cent.

It was objected that the principle of this bill was repugnant to our constitution and to the general system of our finance; and that it might lead to oppression, as it did in France, where the taxes were generally farmed, especially if it were extended to other branches of our revenue. Mr. Pitt did not allow, that

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CHAP. VIII 1787. there was any solid foundation for these objections: the turnpike tolls, which were analogous to the post horse duty, were almost universally farmed; and the cross letter postage was for many years let to the gentleman, who first suggested it; and in neither case had any inconvenience been experienced, nor had there been any complaint of injustice, oppression, or breach of the constitution. It was true, that such a principle did generally obtain in some countries of more despotic and arbitrary forms of government than ours, and perhaps some degree of oppression might arise from the manner in which the principle was there carried into effect; but this oppression was not to be attributed to the system of farming the revenue, but to the form of government, which would of itself naturally lead to arbitrary and oppressive modes of collection. In those countries there was not, as in this, a parliament, jealous of the rights and liberties of their fellow-subjects, and able to protect them: there the farmers were invested with their powers by the crown singly *, whereas in Great Britain no such powers could be given without the consent of the house of commons, even if a minister should be desirous of having them granted. In the case now under consideration, the sum to be paid was definite and well known, and the farmers were to have only the same powers as the collectors now had, against which there had been no

* In France, to which Mr. Pitt particularly alluded, the farmers general held in their hands the collection of the revenue. Whenever the king wanted money, he applied to them, as he could borrow of no other persons; but before they would consent to lend him the sum he required, they usually demanded new powers to assist them in enforcing the payment of the revenue.

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complaint: there was therefore not the slightest danger of any oppression. As to extending the principle to other taxes, of which apprehension was expressed, he denied that he had any such intention; and desired the house to consider, whether there was not something in the post horse duty, which rendered it peculiarly proper to be placed under the proposed regulation, and would not be found in any other branch of the revenue. He urged the necessity of a vigorous and effectual collection of the taxes, as the only means of supporting the credit and power of the country. The bill was opposed in almost every one of its stages; but after several divisions, all greatly in its favor, it passed the house of commons. In the house of lords there was only one short debate, and no division.

THESE were Mr. Pitt's principal measures in the present session: but there were some important subjects brought forward by other members, in the discussion of which he took a leading part, and which it will therefore be proper to notice.

IN the struggle between Mr. Pitt and Mr. Fox, and at the general election by which it was followed in 1784, the dissenters had warmly espoused the cause of Mr. Pitt; and therefore conceiving, that they had a right to expect his support in return, they considered the present as a favorable time for an application to parliament, for the removal of the disabilities, to which they were subject, and of which they had long complained. As a preparatory step they circulated among the members of the house of commons, a paper entitled, " The

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case of the protestant dissenters with respect to the corporation and test acts," in which they plausibly and ably stated the grounds, upon which they claimed relief from what they represented as unjust and unnecessary hardships.

The former of those acts was passed in the year 1661, immediately after the restoration of our civil and ecclesiastical constitution, which had been overthrown through the united influence of various classes of dissenters from the church of England; and one of its provisions was, that no person should be eligible into any corporation, who should not, within one year previous to such election, have taken the sacrament of the Lord's supper, according to the usage of the church of England. The latter was passed in 1672, when the conduct of the king upon the throne justified a strong suspicion, that he was inclined to popery *, and the presumptive heir to the throne was a professed papist, circumstances which excited a very great and general alarm in the minds of the real friends of civil and religious liberty; and therefore this act required, that every person, who should accept any civil office, or a commission in the army, or navy, should, within six months after such acceptance, receive the sacrament of the Lord's supper, according to the usage of the church of England, in default of which, he should be incapable of holding the office or commission, and be subject to certain penalties and disabilities. Though the corporation act was more immediately directed against protestant dissenters, and the test act against papists,

* It has now been ascertained, that he had actually at that time entered into a treaty with Louis XIV, for the re-establishment of popery in this kingdom. Vide Rose's observations on Fox's History.

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from the peculiar circumstances of the times when they were respectively passed, yet each comprehended both descriptions of dissenters; and the promoters and supporters of each, while depending in parliament, avowed, that their object was, by withholding political power from those who were enemies of the established religion, to prevent the recurrence of the evils which had been recently experienced. The receiving the Lord's supper in the manner directed by the liturgy, was considered as the best proof which could be adduced, that a person was a member of the church of England; and it was evident, both from fact and reason, that to no other hands could situations of authority and trust be committed, with safety to the constitution. "These acts," says Mr. Justice Blackstone, "were two bulwarks erected to secure the established church against perils from non-conformists of all denominations; infidels, turks, jews, heretics, papists, and sectaries;" and they were unquestionably in a high degree instrumental in averting, by their restrictive operation, the dangers with which the nation was threatened under James the second. At the revolution, the great and wise men, by whom that glorious event was accomplished, and who carefully revised the fundamental laws of the kingdom, continued these acts as essential to the preservation of the constitution in church and state; but at the same time being desirous, that no restraint should be imposed upon private judgment, they gave to dissenters, by the toleration act, which was then passed, "a full liberty," as the same excellent author expresses it, "to act as their consciences shall direct them, in the matter of religious worship."

The dissenters, however, not content with the enjoyment of

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CHAP. VIII. 1787. this liberty, prevailed upon Mr. Beaufoy, who was a member of the church of England, and a zealous supporter of administration, to make a motion on the 28th of March in this year, for the repeal of the corporation and test acts. Mr. Pitt was fully sensible of the part, which the dissenters had taken in his favor; but in a question of this public importance, he could not allow any private consideration to have weight; and being convinced, after mature reflection, that the repeal of these acts would be attended with the most mischievous consequences, he felt it to be his indispensable duty to resist the motion. He said, that it was not an application to relieve a class of men from any reproach or odium, or from religious restraint, as the dissenters were in possession of perfect toleration, and of complete freedom to serve God in the manner they themselves preferred; that there was a wide difference between the participation of the offices of state and liberty of conscience; that offices of state and situations of public authority, being intended for the maintenance and support of the established government, ought not to be placed in the hands of any persons, who were not well affected to that government in all its essential parts; that in every society there must be a restriction of rights, and that in this kingdom certain qualifications were required in a variety of instances; that the present attempt of the dissenters was to acquire political power, which being a trust for the benefit of the community, and not the right of any individual, might be withholden from one part of the community, provided the general interest rendered such a limitation necessary; that though the dissenters disclaimed any hostile intention towards the church, he must look to human

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nature for the springs of human actions; that some dissenters declared, that the church of England is a relique of popery, and others, that all establishments are improper; that though these opinions might not universally prevail among them, no means could be devised to admit the moderate part of the dissenters, and exclude the more violent; that indeed all sectaries were naturally desirous of extending the influence of their peculiar opinions, and if they saw an opening fairly before them, would introduce changes, and subvert what they believed to be erroneous; that a barrier must therefore be kept up against all, by every prudent and proper precaution; that it was impossible to separate the ecclesiastical and political liberties of this country; that the church and state were united upon principles of mutual expediency, and by indissoluble ties; that it concerned those, to whom the well-being of the state was entrusted, to take care, that the church be not rashly endangered, the ruin of which must involve the ruin of the state; that it was the right of every legislature to establish such tests as should appear to be most conducive to the public good, and that there was no more reason for considering the exclusion of dissenters from offices a disgrace or punishment, than any other distinction which upheld our political government; that no man was looked upon as disgraced or punished, because he had not a vote for a city, a county, or a borough: he expressed the highest respect for the present race of dissenters, and admitted that the spirit of moderation, by which they were distinguished, recommended them to the protection of government; but he maintained, that they already enjoyed every indulgence consistent with the safety of the civil and.

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CHAP. VIII. 1787. ecclesiastical establishments. The motion was rejected by a majority of 176 to 98.

THE pecuniary embarrassment of the prince of Wales was brought before the house of commons in the present session, and gave rise to the mention of another subject relating to his royal highness, of a still more delicate and interesting nature. The prince of Wales coming of age in 1783, Carlton-house was assigned him as a residence; 60,000 *l.* were voted by parliament to defray the expences of first establishing a separate household; and an allowance of 50,000 *l.* a year was made him by his majesty out of the civil list, exclusive of the revenues from the duchy of Cornwall, amounting to 12,000 *l.* a year *. This income proved so inadequate to the expences of his royal highness, that at midsummer 1786, he had incurred debts to the amount of upwards of 160,000 *l.* of which the king was informed; but his majesty, after some correspondence upon the subject, declining to afford the prince any assistance, his royal highness instantly stopped the buildings and improvements going on at Carlton-house, sold most of his horses, and dismissing the officers of his court, reduced his establishment

* This settlement was made during the coalition administration; and it was evident from the debates, which then took place in the house of commons, that the ministers proposed to the king, that the income of the prince should, by a grant of parliament, be made 100,000 *l.* a year, including the duchy of Cornwall, to which his majesty would not consent. It was generally believed, that this difference of opinion very nearly caused the resignation of ministers; but that the prince, who had been always friendly to them and wished their continuance in office, interposed, and declared his readiness to accept whatever his majesty might think proper.

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to that of a private gentleman, for the honorable purpose of applying a considerable part of his income to the discharge of his debts*. This mode of living was continued for nine months, greatly to the regret of all who wished to see the high station of heir apparent to the throne supported with suitable dignity and splendor; but in the mean time very little progress was made in diminishing the debts, on account of their large amount and the accruing interest. An application to parliament appeared to be the only means by which his royal highness could be effectually relieved from his present difficulties, and restored to the comforts and enjoyments belonging to his exalted rank. It being determined to adopt this measure, Mr. Alderman Newnham, who was one of the members for the city of London, and connected with the opposition party, and who afterwards avowed that he acted with the consent of the prince, rose in the house of commons on the 20th of April, and asked Mr. Pitt, whether it was his intention to bring forward any proposition to extricate the prince of Wales from his embarrassed and distressed situation; and upon Mr. Pitt's replying, that he had received no commands from his majesty upon the subject, without which he could not submit a business of that nature to the house of commons, Mr. Newnham gave notice, that on the 4th of May he would make a motion respecting his royal highness the prince of Wales. The subject was renewed on several subsequent days, and upon one of those occasions, Mr. Newnham, in consequence of a request from Mr. Pitt, to know the precise object of his intended motion, informed the

* From the same motive the prince of Wales was desirous of going abroad in the preceding year, but upon the king's objecting to it, his royal highness immediately gave up the idea.

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house, that he should propose an address to his majesty, praying him, "to take into his royal consideration the present embarrassed state of the affairs of his royal highness the prince of Wales, and to grant him such relief as he in his royal wisdom should think fit, and that the house would make good the same." Mr. Rolle * immediately expressed his concern, that the worthy alderman persisted in his design, as the question might involve matter, "essentially affecting the constitution both in church and state." These words were understood to refer to a report, which prevailed and was then very generally believed, that a private marriage had taken place between the prince of Wales and a lady who was known to be of the roman catholic religion; and on a following day, Mr. Fox, after observing, that such a marriage could not possibly have taken place legally †, declared, that he was authorized by the prince of Wales to assure the house, that "no such marriage had taken place in any way whatsoever, the report being a base and malicious falsehood: he did not deny the calumny, merely with regard to the effect of certain existing laws, but he denied it in toto, in fact as well as in law." This unequivocal and authentic assurance upon a point, which had excited a strong sensation throughout the kingdom, and was in itself of the utmost importance ‡, could not but be highly satisfactory both to parliament and to the public.

* Afterwards lord Rolle.

† By the royal marriage act, 12 Geo. 3, the marriage of any member of the royal family (except the issue of princesses married into foreign families) without the previous consent of his majesty signified under the great seal, and declared in council, is null and void.

‡ By the act of settlement, 1 Will. and Mary, the marriage with a papist renders a person "for ever incapable to inherit, possess, or enjoy the crown of this kingdom."

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From the conversations which took place in the house of commons upon the prince's debts, it was evident, that a coolness subsisted between the king and the prince; and that the members, who opposed his majesty's government, possessed his royal highness's confidence. All parties, however, concurred in deprecating a hostile debate, and in professing an earnest desire, that some accommodation should be effected. Mr. Pitt contended, that a proposition of this sort ought not to originate in parliament, and said, that his knowledge of some circumstances connected with the subject, made him extremely anxious, that it should not be agitated without previous communication from his majesty; but at the same time he declared, that if the discussion should be forced upon the house, in the manner of which notice had been given, it would be his duty, however painful it might be, and whatever offence he might give in a certain quarter, to enter fully and without reserve into the business; and in particular, to state the substance of a correspondence between the king and the prince of Wales relative to his royal highness's debts; from which it would appear, that an appeal to parliament had not been rendered necessary by any backwardness in his majesty to do what ought to be done on his part. On the other hand, the friends of the prince declared, that his royal highness was willing, that every part of his conduct should be minutely and accurately investigated; and that he was ready, as a peer of the realm, to give explicit answers to any questions which might be put to him in the house of lords, or to afford his majesty or his ministers any explanation which might be required.

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Though Mr. Pitt was determined not to shrink from making any statement, or from delivering his sentiments with any degree of freedom, which duty to his sovereign and to the country, and what he considered to be the real interest of the heir apparent, might demand, yet his mind was so strongly impressed with the impropriety of a public and circumstantial inquiry into the prince's debts, that he felt it incumbent upon him to endeavor, by every method in his power, to prevent the intended motion; and therefore, with the hope of accomplishing that object, he solicited an audience of the prince, which was readily granted on the 3d of May. After a conference of two hours, he was honored with a message from his royal highness to the king, which he delivered in person immediately, and in the evening communicated to the prince, in writing, his majesty's answer. This beginning of the negotiation, although confined to general assurances, promised so favorable a result, that on the following day, Mr. Newnham informed the house, that there was no longer any necessity for the motion of which he had given notice. This intelligence called forth strong expressions of joy from all sides of the house. On the morning of the 5th, Mr. Pitt was ordered to attend at Carlton-house at two o'clock of that day, and to carry with him a confidential friend. Mr. Dundas, accordingly, accompanied him; and upon their being admitted to the prince, they found Mr. Sheridan with his royal highness. After some conversation relative to the debate in the house of commons the preceding evening, in which the prince expressed himself satisfied with what Mr. Pitt had said, Mr. Pitt took an opportunity of observing to the prince, that he was ready to enter into any

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explanation concerning his own personal conduct, before the gentlemen then present; but he trusted that his royal highness would pardon him, if he took the liberty of saying, that it was impossible for him to receive any commands from his royal highness, as his majesty's servant, in the presence of any third person, especially one, who was in habitual opposition to his majesty's government. In consequence of this declaration, the prince of Wales desired Mr. Dundas and Mr. Sheridan to withdraw; and his royal highness then conversed unreservedly and in detail with Mr. Pitt on the subject of his pecuniary embarrassments, and concluded with a proposal which he wished to be submitted to his majesty by Mr. Pitt, and which he allowed him to take down in writing. The answer, with several subsequent communications between the king and the prince, passed through the same channel; and an arrangement being at length settled, through the influence and advice of Mr. Pitt, which included both the present debts and future allowance and expences of his royal highness, he delivered to the house of commons the following message from his majesty, on the 21st of May.

"It is with great concern his majesty acquaints the house of commons, that, from the accounts which have been laid before his majesty by the prince of Wales, it appears that the prince has incurred a debt to a large amount, which, if left to be discharged out of his annual income, would render it impossible for him to support an establishment suited to his rank and station.

"Painful as it is at all times to his majesty to propose any addition to the heavy expences necessarily borne by his

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people, his majesty is induced, from his paternal affection to the prince of Wales, to recur to the liberality and attachment of his faithful commons, for their assistance on an occasion so interesting to his majesty's feelings, and to the ease and honor of so distinguished a branch of his royal family.

" His majesty could not, however, expect or desire the assistance of the house, but on a well-grounded expectation that the prince will avoid contracting any new debts in future. With a view to this object, and from an anxious desire to remove every possible doubt of the sufficiency of the prince's income to support amply the dignity of his situation, his majesty has directed a sum of ten thousand pounds per annum to be paid out of his civil list, in addition to the allowance which his majesty has hitherto given him; and his majesty has the satisfaction to inform the house, that the prince of Wales has given his majesty the fullest assurances of his firm determination to confine his future expences within his income; and has also settled a plan for arranging those expences in the several departments, and for fixing an order of payment under such regulations, as his majesty trusts will effectually secure the due execution of the prince's intentions.

" His majesty will direct an estimate to be laid before the house, of the sum wanting to complete, in a proper manner, the works which have been undertaken at Carlton-house, as soon as the same can be prepared with sufficient accuracy; and recommends it to his faithful commons to consider of making some provision for that purpose."

An account of the expenditure and debts of the prince of Wales, was, by his majesty's command, laid before the house

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of commons on the 23rd; and on the following day, upon the motion of Mr. Pitt, the house unanimously, and without a single observation from any other member, voted an address to the king, requesting his majesty to advance 161,000 *l.* for the payment of the debts of the prince of Wales, and 20,000 *l.* on account of the works at Carlton-house *. Thus had Mr. Pitt the satisfaction of bringing this delicate business to a termination highly acceptable to all parties; and the prince of Wales immediately resumed the establishment suited to his rank and station in the country.

THE proceedings against Mr. Hastings were recommenced at an early period of the session, and were continued to the end of it, at such intervals as the pressure of other business permitted. On the 7th of February, Mr. Sheridan brought forward the fourth charge relative to the resumption of the jaghires, and the confiscation of the treasures, of the princesses of Oude, in a speech which lasted upwards of five hours and a half. Never, perhaps, in antient or modern times, was any speech received with more general and unbounded admiration —nor was this all; it produced conviction in opposition to strong prepossessions. Such indeed was the effect upon the minds of all who heard this wonderful display of eloquence, in which were united the most brilliant language, the most persuasive argument, and the liveliest animation, that when Mr. Sheridan

* It was by no means expected that this sum would cover all the expenses at Carlton-house. In the two following years, 35,200 *l.* were granted by parliament for the same purpose; after which farther large sums were expended. The estimate of the sum necessary to complete the works at Carlton-house, promised in his majesty's message, was never laid before the house of commons.

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CHAP. VIII. 1787. sat down, the whole house—members, peers, and strangers—involuntarily joined in a tumult of applause, and adopted a mode of expressing their approbation, new and irregular in that house, by loudly and repeatedly clapping their hands. At length, after a considerable interval, a young member, who had never before risen in the house, attempted a reply; but being unable to command attention, he was soon under the necessity of sitting down. Several members having acknowledged, that their sentiments had been materially changed by the facts which had been adduced, and the reasoning with which they had been accompanied, an adjournment of the debate was proposed, to afford time for the dispassionate consideration of the question, and to avoid coming to a vote, while the minds of members were under the fascinating impression of Mr. Sheridan's speech. This unprecedented reason for adjournment was strongly opposed by Mr. Fox; but Mr. Pitt contending that many circumstances had been brought forward "in the truly eloquent speech of the honorable gentleman," which required reference and investigation, before any decision could properly be formed, the motion for adjournment was carried without a division.

On the next day the debate was resumed, and in the course of it, major Scott entered into a long and elaborate defence of Mr. Hastings. He was followed by Mr. Pitt, who began by observing, that as he had ever been of opinion, the charge relative to the princesses of Oude was that of all others, which bore the strongest marks of criminality and cruelty, so he had been peculiarly careful to guard against every species of prejudice, and to keep his mind open for the reception of whatever might on the one hand tend to establish innocence, or on the

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other to bring home conviction of guilt; and in order the better to enable himself to form a right judgment, he had, with the utmost minuteness and attention, compared the charge, article by article, with the evidence adduced at the bar, and with the various documents presented to the house, or any where to be found within his reach. He was glad that the debate had been adjourned, as he was now prepared to deliver his sentiments with much greater satisfaction to himself, than he could have done the preceding evening. The charge had been brought forward with such unexampled eloquence and ability, as to furnish additional reason for his rejoicing at the interval which had been afforded to the house, since it gave him an opportunity of coolly weighing and considering the arguments, which came with such irresistible force from the honorable gentleman, who had yesterday introduced the motion, as well as of inquiring into some transactions which he (Mr. Sheridan) had placed in a new point of view; and the result of his deliberation was, that he should give his decided support to the motion. He then entered into an examination of all the important parts of the charge, and stated the grounds upon which he considered Mr. Hastings's conduct as utterly unjustifiable, in authorizing the resumption of the jaghires, and the seizure of the treasures, of the princesses of Oude; urging, that these crimes were highly aggravated by his making a son the instrument of robbing his mother *, and by his refusing to revise the proceedings against the princesses, in obedience to

* The princesses of Oude were the mother and grandmother of the nabob, who, by the direction and under the sanction of Mr. Hastings, had resumed their jaghires (which were in the nature of jointures) and seized their treasures.

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the orders of the directors. But though Mr. Pitt coincided in opinion with Mr. Sheridan, upon the subject of the charge, and joined in the general admiration of his speech, he blamed him for the bitterness and acrimony with which he spoke of Mr. Hastings.

Mr. Sheridan expressed himself much gratified by Mr. Pitt's approbation and concurrence, and acknowledged, that whatever differences, and even warm altercations, there might be between the opposite sides of the house upon political subjects, it now appeared, that when a great national question, which called for the aggregate support of parliament, came before the house, Mr. Pitt, laying aside all party considerations, was ready, in an open and manly way, to come forward, and prove himself a minister, who felt for the honor and character of that house, and for the honor and character of the nation. With regard to the imputation of undue severity in some parts of his speech, he declared that he was incapable of malignant feelings towards Mr. Hastings or any other person. The motion was carried by a majority of 175 to 68.

On the second of March Mr. Pelham* opened the charge relative to the nabob of Farruckabad, in which he accused Mr. Hastings of withdrawing his protection, as governor general of India, from that prince, in consequence of having received a present of 100,000 *l.* from the nabob of Oude; of repeated instances of breach of faith; and of being the primary cause of all the hardships and oppressions which the nabob of Farruckabad had for many years suffered from the nabob of

* Afterwards earl of Chichester.

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Oude, under whom he held his dominions, and to whom he paid an annual tribute.

After several members had spoken upon both sides of the question, lord Hood argued very strenuously in favor of Mr. Hastings, upon the ground, that great allowance ought to be made for persons placed in high and responsible situations, who frequently found themselves compelled to act in a manner not perfectly consonant with the strict rules of equity and justice: he declared, that he had no connexion or acquaintance with Mr. Hastings, but that he admired his character, and believed him to have been the preserver of India to this country: he considered his eminent services and real merit as greatly outweighing his errors and delinquencies; and he feared, that any censure or punishment of him would operate as a check upon the exertions of governors and commanders in future: his lordship referred to his own conduct in the West Indies, when the fleet under his command was in extreme distress from the want of bread, and he obtained a supply by resorting to means not authorized by law.

Mr. Pitt did not think it right to suffer these sentiments and principles to pass without notice: he declared, that he should have rested content with giving a silent vote on the question, were it not that he felt himself called upon to say something in answer to what fell from the noble lord (lord Hood,) behind him. After paying many compliments to lord Hood in his private as well as his professional character, and observing that his meritorious services as a commander were only to be equalled by the purity of his conduct as an individual, he said, that the argument which he had used, came with a peculiar force from

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a person of the noble lord's description, because no man, who heard it, could doubt its sincerity. Still, however, it was an argument, which he hoped the house would resist; and while they allowed every degree of strength to the noble lord's principles as applicable to his own conduct and situation, would yet guard against their interference with respect to those of the unfortunate person (for so he must call him,) who was the subject of that day's debate. The noble lord had argued in general, in favor of those, who being entrusted with the great interests of their country, were sometimes, from the difficulty of their situation, reduced to the necessity, either of sacrificing those interests, or of violating the direct rules of private justice. Such situations were likely to occur, and were certainly much to be lamented; and it was natural for the noble lord to resort to a supposition of such a situation in excuse of Mr. Hastings; conscious as he was, that in the course of his own services he had never suffered such a necessity to operate on him, from any other motives than those of the public welfare, nor ever suffered it to proceed farther than that consideration warranted, and rendered indispensable. He admitted, that in the case of every servant of the public, to whom mighty and momentous concerns were entrusted, it was but just, that when a complaint was made, the grounds of that complaint should be weighed with the situation in which he stood. If he suffered the necessities of the service to carry him no farther than was absolutely requisite, and endeavored, though it could not be done in its full extent, to reconcile his duty to his country with that to individuals—he had the double merit of discretion as well as of zeal; nay,

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even if in his exertions for the public he suffered himself to go beyond the line of strict and urgent necessity, provided it was evident that his intentions were fair and upright,—then, heaven forbid, that he or any man should deny him his due merit, or say, that the abundance of his zeal ought not to be allowed to make ample atonement for the error of his judgment. In such situations as these, the noble lord, in his long course of services, must have been; and he was convinced, that his conduct under them had always been so regulated, as to reconcile, as far as possible, his political and moral duties But, he asked, was the conduct of Mr. Hastings, in that part of it now before the house, correspondent to such principles? Was the crime that day alleged against him justified by necessity, or was it of such a size and complexion as any existing necessity could justify? Where a departure was made from justice and right, it was not sufficient to say, that such a step was necessary; it was incumbent on the party to point out and prove the necessity, and the consequences likely to attend a too rigid observance of strict justice and propriety, that a comparison might be taken between the object to be gained and the sacrifice to be made, and a judgment of censure or approbation be founded on the result of such comparison. But in this instance there was no state necessity whatsoever attempted to be shewn; and therefore there was no ground whatsoever for those, who saw a criminal tendency in the transaction, to refuse their consent to the motion.

Besides this topic of the necessities of his situation, the noble lord had resorted to another in favor of Mr. Hastings, which was, his general merits in the course of his service. There

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had been a period, he confessed, in which such an argument might have been urged with some force; but that period was now passed. If, at the commencement of the inquiry, it had been urged in favor of Mr. Hastings, that if some parts of his administration had been faulty, yet those faults were highly compensated and fully counterbalanced by the general tenor of his conduct, and the brilliant and meritorious services which he had performed; in that case the house would have had to weigh his crimes against his virtues, and to consider how far his services were to be regarded as a balance against his delinquencies; and whether those delinquencies were of such a nature, as would allow that house, consistently with its own reputation, to admit any balance whatsoever from any services. But such a consideration could not with any propriety take place after the inquiry had once been instituted. The committee were then called upon to determine, not on a general view of facts, the general merits or demerits of the person accused, but on a particular investigation of a particular transaction, the criminality or innocence of that single transaction. Mr. Hastings had thought it advisable to disclaim and relinquish all benefit which he might have expected from a consideration of his services: he had decisively and boldly declared, that in inquiring into the charges against him he desired no set-off might be made on the score of his services; for that he was persuaded, instead of the censure, he would be found to be intitled to the approbation, of that house, even upon the very facts which were made the foundation of those charges, as soon as they should come to be investigated and properly understood. After such a declaration from Mr. Hastings, it

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would be highly unjust to depart from the line in which he chose to have his conduct considered, and to throw such a shield between him and public inquiry; nor, after having proceeded so far, could the house, consistently with its own honor, now stop upon any such principle as the noble lord had advanced. Still he admitted, that there remained a stage, in which the merits of Mr. Hastings might and ought to be weighed against his failings; and that was, when (in case of conviction of the charges laid against him) he came to receive sentence. Undoubtedly, should it appear before that period that there had ever been a time, as has been so often alleged, when India would have been lost to this country, but for his exertions and abilities, certainly such a consideration must have a powerful effect on the minds of those who are to apportion the punishment. With respect to the particular charge then under discussion, it had been already so ably handled, that he should not take up much time of the committee in enlarging upon it; and he would only say, that Mr. Hastings, from his own words, clearly convicted himself of criminality.

He then read a part of Mr. Hastings's correspondence; where, in speaking of the recall of Mr. Shee from Farruckabad, Mr. Hastings acknowledged, "that by so doing he must give up nabob Muzuffir Jung to the oppression of the vizier." Mr. Hastings, therefore, (continued Mr. Pitt,) cannot justify himself for such a step by any plea of wanting sufficient warning of the consequence, having evidently foreseen it; nor have any grounds of necessity been alleged to palliate the measure. But, besides this letting loose the vizier on the nabob of Farruckabad, which he knew would be followed by the ruin and

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oppression of that unfortunate prince, and that without any necessity, what could excuse his acceptance of a present of such magnitude as that which he had received from the nabob of Oude? Could such a transaction be excused by any degree of necessity? Was there a fleet in want of her necessary supplies; or was any army waiting for subsistence? or did any one branch whatsoever of the public service render so extraordinary a resource requisite? No; it could be justified by no one necessity; it could be accounted for by nothing but corruption.

But what he had chiefly risen for was, to interpose as speedily as possible between the high authority of the noble lord and the feelings of the house, lest they might be led by his arguments to confound the cases—that of a man struggling against a violent necessity, and at length obliged to give way to the exigency of the public service, and deviate into a necessary injustice—and that of a person wantonly committing acts of tyranny and oppression, for which not even a pretence of public service had been alleged. He was by no means apprehensive, that this example of the house of commons of Great Britain taking an active part in bringing those who had served the state, in the most exalted situations, to justice, would be attended with any bad consequence to the public service; but on the contrary, besides that it was a duty which they owed both to their own and the national character, he looked upon it as the best method of insuring the most scrupulous and dutiful conduct of our several commanders, when they were taught, that parliament would not disgrace itself by screening a public delinquent, how high soever might have been his rank and situation, how brilliant his abilities, or how eminent his services: they would

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be cautious, when they knew that any deviation from the strict rules of integrity would be judged only by the nature of the necessity which occasioned it; and that although no merits would be considered as an excuse for wilful and corrupt misconduct, yet that even a necessary dereliction of principle could only be excusable by uniform and meritorious exertions.

The motion was carried against Mr. Hastings, by a majority of 112 to 50.

Sir James Erskine opened the charges relative to contracts and salaries, on the 15th of March, in a speech of great length, comprehending a vast variety of matter, and accusing Mr. Hastings of having acted profusely, corruptly, and in direct contradiction to the most positive orders of the directors of the East India company. Mr. Pitt followed sir James Erskine, and entering into a minute and clear examination of every instance of alleged criminality, in the different charges upon these subjects, he acquitted Mr. Hastings of any misconduct of sufficient importance to be the ground of impeachment, except in three points, to which, therefore, he wished the resolution to be confined; and for that purpose he proposed the following addition to the motion, "in respect to the contract for bullocks in the year 1779, that for opium in 1781, and to the increased salary of sir Eyre Coote."

Mr. Burke said, that he could not entirely concur with Mr. Pitt, as to all the particulars which he wished to omit, and proposed an addition of the contracts for salt and rice: upon this the house divided, and Mr. Burke's amendment, though opposed by Mr. Pitt, was carried by a majority of 9, the numbers being 66 and 57. The main question, including both

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Mr. Pitt's and Mr. Burke's amendments, was afterwards carried by 66 to 26.

Mr. Windham, in opening the 22nd charge on the 22nd of March, accused Mr. Hastings of a breach of the guarantee of the treaty of Rempore, and of unjust and oppressive treatment of Fyzoola Khan, whom he represented as a prince of excellent character, and attached to the interests of the East India company. Mr. Pitt did not speak in this debate, but coinciding in sentiments with Mr. Dundas, who stated the grounds upon which he considered the conduct of Mr. Hastings in these respects as highly criminal, he voted for the motion, which was carried by a majority of 96 to 37.

On the 2nd of April Mr. Sheridan opened the charge relative to presents, in which he accused Mr. Hastings of having repeatedly accepted presents from the native princes of India, for corrupt purposes, in direct violation of the regulating act of 1773, and contrary to the express command of the East India company. Upon this occasion lord Mulgrave and Mr. W. Grenville spoke very strongly against Mr. Hastings, and condemned his conduct as highly criminal: the latter said, that Mr. Hastings had not merely accepted presents, but "had extorted money for his own private use;" and he added, that it was his wish to carry before the august tribunal of the house of lords the man, who had dared to sully the lustre of the British name, and to trample on the sacred inheritance of an unoffending race of people. In truth, the acceptance of presents in a variety of instances, was so clearly proved, that even major Scott could not deny the facts; and the only defence he offered was, that Mr. Hastings had misunderstood the act of

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1773, and that he had applied the money to the use of the company; but other members, favorably disposed to Mr. Hastings, acknowledged, that upon this charge they must withdraw their support from him, being convinced that he had acted corruptly, and contrary to what he knew, and had himself admitted, to be the true intention and meaning of the law. Mr. Pitt did not speak in this debate; but was one of 165, who voted for the motion: only 54 voted against it.

The debates upon the separate charges had taken place in a committee of the whole house; and though two charges still remained to be discussed, it was proposed after the above division, agreeably to what had been settled on the 22nd of last month, that a report of those resolutions, which had been already passed, should be immediately made to the house. Before the report, however, was read, Mr. Pitt declared, he felt the utmost anxiety, that in a business of so much importance, such a mode should be adopted, as would leave himself and every other member at full liberty to deliver their sentiments, and give their votes, freely and without difficulty, upon the grand and decisive question of impeachment. He therefore desired to know, in what manner Mr. Burke intended to proceed: for his own part, having in some of the articles gone only a certain length in his assent, by no means admitting a degree of guilt, of an extent equal to that imputed in the charges, he could not think himself justified in joining in a general vote of impeachment, which might seem to countenance the whole of the several charges as they now stood. The best course in his opinion to be pursued would be, to refer the charges to a committee, that the criminal matter might be

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selected out of them, and framed into articles of impeachment; on the report of which, the question of impeachment might be moved. He suggested, he said, this mode, because, if the impeachment should be moved, without such a reference and separation of the criminal matter, he should find himself under the necessity of proposing several amendments, for the purpose of confining the effects of each charge to that degree of real guilt, which he thought appeared in it. He waited therefore to be informed, what was the intention of the authors and friends of the prosecution in this respect, that he might regulate his conduct accordingly. Mr. Fox objected to Mr. Pitt's suggestion, contending, that it would be better to agree to the report now under consideration, and immediately to send word to the house of lords, that the house of commons had resolved to impeach Mr. Hastings, and would present articles with all convenient dispatch; reserving to themselves the constitutional right of supplying more articles, whether they should have occasion to exercise that right or not. After a reply from Mr. Pitt to Mr. Fox's speech, Mr. Burke expressed great concern at differing from his honorable friend, and consented to the adoption of Mr. Pitt's suggestion, in which Mr. Fox acquiesced.

The report was then read; and an order was unanimously made, that it should be taken into consideration on the following day, when the several resolutions, six in number, and including nine of the original charges, were agreed to without a division; and on the same day a committee was appointed, upon the motion of Mr. Burke, to prepare articles of impeachment grounded upon those resolutions.

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Mr. Francis opened the charge relative to the Bengal revenues, on the 19th of April, and accused Mr. Hastings of a systematic and excessive abuse of his powers over the people directly placed under his government, and over their property; first, on principles absurd, contradictory, and flagitious; secondly, by means arbitrary, tyrannical, and cruel; thirdly, with effects oppressive and afflictive to the natives, ruinous to the country, destructive to the revenues, and injurious and fraudulent to the India company; fourthly, for purposes of the most abandoned corruption. Mr. Pitt replied to Mr. Francis, and observed, that of all the numerous instances of alleged misconduct in Mr. Hastings, the whole of which Mr. Pitt fully and minutely discussed, article by article, there was only one, which appeared to him to afford a just foundation of criminal charge, namely, the fact of Mr. Hastings having received presents from Kelleram and Cullian Sing, on the settlement mãde with the zemindars, farmers, and contractors in 1781; and that having been included in one of the resolutions already passed (relative to the acceptance of presents,) he declared his intention of voting against the present motion; but, notwithstanding Mr. Pitt's support of Mr. Hastings in this instance, the motion was carried against him by a majority of 71 to 55.

On the 25th of April Mr. Burke, as chairman of the committee, presented to the house six articles of impeachment; and on the 9th of May he moved, that the house should agree to the report. This motion produced a long and interesting debate, towards the end of which Mr. Pitt rose, and began by observing, that he felt himself called upon to express his entire dissent from the gentlemen, who had contended for the rejection

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The chief points of this mass of delinquency were all which he could touch upon; nor would he go into the articles at any length, having already delivered his sentiments at large upon such of them, as he was not anticipated in by gentlemen who thought as he did. In one part of the charge of Benares, there was great criminality; in that of the princesses of Oude there was still more, which, indeed, he looked upon as the leading feature in the whole accusation. In the charges concerning Farruckabad and Fyzoola Khan, there was also much criminal matter. In all the above charges there were instances of the most violent acts of injustice, tyranny, and oppression; acts which had never been attempted to be vindicated, except on the plea of necessity. What that necessity was, had never been proved; but there was no necessity whatsoever, which could excuse such actions as those, attended with such circumstances. He could conceive a state, compelled by the necessity of

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a sudden invasion, an unprovided army, and an unexpected failure of supplies, to lay violent hands on the property of its subjects; but, then, in doing so, it ought to do it openly, it ought to avow the necessity, it ought to avow the seizure, and it ought, unquestionably, to make provision for a proper compensation as soon as that should become practicable. But was this the principle on which Mr. Hastings went? No; he avowed neither the necessity, nor the exaction; he made criminal charges, and under the color of them he levied heavy and inordinate penalties; seizing that, which, if he had a right to take it at all, he would be highly criminal in taking in such a shape; but which having no right to take, the mode of taking it rendered the act much more heinous and culpable. He certainly had no right to impose a fine of any sort on the princesses of Oude; for there was not sufficient proof of their rebellion or disaffection. And the fine imposed on Cheyt Sing, in a certain degree, partook of a similar guilt, though not to so great an extent; for there the crime was, in his opinion, not so much in the fine itself as in the amount of it, in its disproportion to the offence which the party had committed. But this vindication from one part of the charge, in itself so weak, became, when coupled with other parts, a great aggravation; for, when a person on the one hand commits extortion, and, on the other, is guilty of profusion, if he attempts to screen himself, under the plea of necessity, for his rapacity, it follows that he is doubly criminal, for the offence itself, and for creating the necessity of that offence by his prodigality. And in the instance in question, a higher aggravation arises from the manifest, and, indeed, palpable corruption attending

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that prodigality: To what else could be attributed the private allowances made to Heyder Beg Khan, the minister of the nabob vizier, and the sums paid to the vakeel of Cheyt Sing, when it was remembered, that the one led the way to the treaty of Chunar, and the other to the revolution in Benares?

The honorable gentleman, who spoke last*, had attempted to excuse all these actions, by shewing that Mr. Hastings was not the person, who first began the interference of the company with the native princes, or who established the influence which it had obtained in their politics; and that the inconveniences attending the double government of Oude, were not to be imputed to him. But, surely, to whomsoever that influence might be originally attributed, Mr. Hastings was answerable for the management of it, as long as it was in his hands, and to excuse him on this plea, would be to justify the tyranny by the power; for though the influence of the company had given him the power to oppress the neighbouring country, it had not imposed on him the necessity of doing so. The honorable gentleman had also attempted to palliate those parts of Mr. Hastings's conduct, by stating, that if he were guilty, he was so in common with the rest of the council: but this, if it were the case, was by no means a sufficient excuse for him, nor could it be a reason with the house for dropping the impeachment; for his having accomplices in his crimes could be no exculpation; and it would be highly derogatory to the honor of that house, if they were to say—"No; we will not bring the delinquent to justice, because there are a number of delinquents besides him." Nor would this be a reason even

* Mr. Nathaniel Smith, chairman of the East India company.

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for impeaching the rest; for it was by no means advisable to multiply examples: the proper way was, to select such as, from their exalted and ostensible situations, were the more likely to become an effectual example. But, it was impossible to justify Mr. Hastings on such a ground as this, even if it were tenable at all, because a considerable part of those enormities, with which he was charged, were committed at a distance from his council, and when he was entirely out of the reach of their advice or control.

In the articles of the contracts, there were some glaring instances of breach of orders, and of improvidence and profusion, which, though not of so heinous a nature as those he had before mentioned, were such as called loudly for punishment. But there was another charge, which he was astonished to find the gentlemen who defended Mr. Hastings, could treat so lightly, as it was one, which appeared to him in itself sufficient to justify the impeachment, if it had stood alone, and was of such a nature as, in a peculiar degree, called for the interference of that house. This was the charge of taking presents, which, in every light, in which it could be viewed, whether as a direct breach of the law which appointed him, a positive evidence of corruption, or a degradation of the character of his employers, was a great and heavy accusation; and as to the excuse which had been offered, that he had received those presents for the use of the company, even that was criminal in a degree. But, for his part, he could not accede to the opinion, either that Mr. Hastings had received those sums with an intention of applying them to the service of the company, or that he had actually applied them at all in that way; for, had that been his intention, he would have kept such

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accounts, and made such immediate communications of them, as should clearly prove that it was so. But, no such accounts were produced, no such communications were made; and there were, besides, circumstances attending some of them, which proved they must have been received with a corrupt intention. As an instance of this, he should mention the present received by Mr. Hastings from Kelleram, which was attended with the most suspicious of all circumstances, namely, that this very person was at the time in treaty for a district of land belonging to the company, and no question could be entertained but he gave the money, in order to obtain a favorable bargain: so that had this been done for the company, it was a most unjustifiable and impolitic method of managing their concerns; for, in that case, it should have been negotiated openly in the nature of a fine, and not privately as a bribe, in which latter light alone it ought to be considered.

Mr. Pitt concluded with declaring, "that the house could no otherwise consult their own honor, the duty which they owed to their country, and the ends of public justice, than by sending up the impeachment to the house of lords."

The motion for agreeing to the articles of impeachment was carried by a majority of 175 to 89; and in consequence of an order, made without any division or debate, Mr. Burke carried up the impeachment in the usual manner to the house of lords, charging Mr. Hastings with high crimes and misdemeanors.

On the 14th of May, Mr. Burke opened the last charge, in which he accused Mr. Hastings of being the cause of all the distresses which had taken place in the province of Oude; and the motion passed unanimously, with scarcely any debate.

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By the unanimous order of the house of commons, Mr. Hastings was, on the 21st of May, taken into the custody of the serjeant at arms, who delivered him to the usher of the black rod; and the house of lords afterwards admitted him to bail.

On the same day, the seventh article of impeachment was presented to the house by Mr. Burke, and ordered to be carried to the house of lords; and on the 23d, thirteen more articles were presented to the house of commons, which were carried to the house of lords on the 28th: The great majority by which it was determined on the 9th, when the first six articles were under consideration, that an impeachment should take place, caused the friends of Mr. Hastings to make no opposition to the other articles.

There was no farther proceeding against Mr. Hastings in the present session, which terminated on the 30th of May.

It is impossible not to remark, that throughout the numerous discussions which took place in the house of commons, in this and the preceding session, relative to the impeachment of Mr. Hastings, Mr. Pitt invariably adhered to that impartiality, which he originally determined to observe in this important business. In the preliminary debates upon the motions for the production of papers, and in the examination of witnesses, he constantly shewed a disposition to concur in all fair and proper means of carrying on the inquiry; and upon all collateral questions which arose, he delivered his sentiments in a manner which proved, that he had no other object in view, but to promote the great ends of justice. The diligent and close attention, with which he studied each of the several charges, enabled him to vote in every instance, from the deliberate

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conviction of his own mind; and though the voluminous nature of the evidence, and his numerous and pressing avocations sometimes compelled him to request a short delay, yet on no one occasion was he accused of forming an opinion upon a hasty and partial consideration of the question. On the contrary, he displayed the minutest knowledge of every part of this intricate and involved subject; and gave the clearest proof, that he had weighed the opposite allegations with scrupulous care, and with that accurate discernment, for which he was so eminently distinguished. Many of the charges extended through a long period, comprehending a great variety of facts, and referring to the peculiar customs and laws of India: in these cases he discriminated what appeared to him to be criminal, from that which he thought blameless or praiseworthy, and stated with precision his ideas of the respective degrees of guilt; and though he was ready to make candid, and even liberal, allowance for the different manners and usages of the east, he maintained, that all who were entrusted with British power, were bound, in every region, and under all the varied habits of social life, and all the different forms of civil government, to pay a strict, uniform, and undeviating regard to the essential principles of humanity and justice;—that meritorious conduct in some instances will not excuse treachery, corruption, and oppression in others; and that acts of moral turpitude no political necessity can warrant.

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CHAPTER THE NINTH:

1787.

Convention with France — Dissentions in the United Provinces — Meeting of Parliament — Hessian Subsidy — Increase of Military Establishment — East Indian Declaratory Bill — Budget — Claims of American Loyalists — Slave Trade — Commencement of Mr. Hastings's Trial — Charges against Sir Elijah Impey — Treaties — Prorogation of Parliament.

IT appears from Mr. Pitt's and lord Carmarthen's correspondence with our ambassadors at Versailles and at the Hague, that serious disagreements had taken place between the English and French subjects resident in India, relative to the meaning and extent of the 13th article of the treaty of peace between Great Britain and France, by which his Britannic majesty engaged to take such measures, as should be in his power, to secure to the French a safe, free, and independent trade in the East Indies, whether carried on by individuals or by a company; and it farther appears from the same correspondence, that France and Holland, in the year 1786, had so considerable a naval force in that part of the world, as to give some uneasiness to our ministers, and to authorize their demanding an explanation respecting its object. The answer was not such as entirely removed all suspicion; and the British government continued in some degree apprehensive, that an attack upon our Indian possessions might be in contemplation. Mr. Pitt, however, thought Mr. Eden's residence at Paris a fit

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opportunity for settling all doubtful points as far as trade was concerned, and for preventing every real cause of dispute in future upon that subject. Instructions, therefore, being sent to him, a negotiation was entered into with the French ministers; and on the 31st of August 1787 a convention was signed at Versailles by count de Montmorin and Mr. Eden, containing specific regulations upon the different articles of commerce, and defining the rights and privileges of the French factories. The assurances, which accompanied the arrangement of this convention, gave reason to hope, that there was at present no hostile intention in the European powers towards our Indian trade or territories; and this change of disposition is to be attributed to the internal situation of both France and Holland. Had France continued quiet and free from embarrassments at home, and had the meditated revolution, which, as we shall presently see, she so warmly encouraged, been effected in Holland, it seems highly probable, from the private communications received by Mr. Pitt, that the conduct of the French and Dutch in India, where British power and prosperity had long been the objects of jealousy, must soon have brought on war with this country.

Dissensions had for some time prevailed in the United Provinces, and at length rose to such a height as to threaten the entire subversion of their constitution, and to call for the interposition of neighboring powers. The aristocratical party, which was opposed to the stadtholder, had, since the year 1780, been gradually gaining ground, particularly in Holland, which was by far the most important of the seven provinces. After

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various encroachments upon the rights and prerogatives of the stadtholder, and numerous attempts, most of which were successful, to lessen his credit and authority, the states of Holland, on the 8th of September 1785, deprived him of the command of the garrison of the Hague, under pretence, that he had not exerted himself with sufficient promptitude and vigor in quelling a trifling riot, which had taken place in that city. The prince of Orange, in consequence of this public indignity, left the Hague, which was the seat of government, and where he and his predecessors had been accustomed to hold their court. He retired first to Breda, then to Middleburgh, and afterwards he fixed his residence at Nimeguen, the capital of Guelderland, the province best disposed to his cause.

This open rupture between the states of Holland and the stadtholder, was followed by an attack upon his authority in most of the other provinces, especially by resistance to his privileges in the appointment and rejection of members of the municipal senates in the cities and principal towns. The people, in the late contest with the emperor, had not only been permitted, but encouraged, to form themselves into volunteer corps; and having, from the possession of arms, become sensible of their own weight and importance, and taking advantage of the disordered state of public affairs, now claimed a share in the government, from which they had been hitherto excluded; and asserted their right to be represented by delegates in the legislative and executive councils of their respective districts. These pretensions were both urged and opposed with a violence which frequently led to tumults and bloodshed; and a factious and revolutionary spirit reigned from one

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extremity of the republic to the other, among all ranks of persons.

The court of Versailles, from the first, fomented these divisions, and in various ways afforded very important assistance and support to the aristocratical party. The influence, which the French had acquired over the states general, has been already mentioned; and their object evidently was, by destroying the power of the stadtholder, to gain a complete ascendency in the United Provinces, and to make them entirely subservient to the views and interests of France. Of this design, Prussia and England, the two powers most concerned in the preservation of the independence of the Dutch republic, were fully aware, and kept a watchful eye upon the different proceedings of the contending parties. The king of Prussia, although he was far advanced in life, and had lost a considerable part of that spirit and vigor by which he had been formerly distinguished, was by no means disposed to be a quiet spectator of what was passing in a country contiguous to his own dominions, and with which he had long been in habits of close alliance; more especially, as the prince of Orange was married to his niece. His ambassador, on the 18th of September 1785, presented a memorial to the states of Holland, and another to the states general, complaining of the degradation and disgrace to which the stadtholder had been compelled to submit, and offering his mediation for the settlement of the points in dispute between the prince and his opponents. To these memorials no attention was paid; but on the contrary, soon after they were received, the states of Holland ordered, that the arms of the house of Orange should

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be taken from the regimental colors of the troops, and those of the province substituted in their room; that the stadtholder's power of granting commissions in the army, should be suspended for an unlimited time; and that a corps of 100 Swiss guards, who had usually attended the person of the stadtholder, should be disbanded. In consequence of these successive innovations, all of which took place in the course of a few months, the king of Prussia repeated the same complaints and offered the same mediation, in a second and a third memorial, which were as much disregarded as the first; and the enemies of the stadtholder seemed determined to listen to no proposal for reconciliation.

On the 17th of August 1786, Frederick William the Second, by the death of his uncle, succeeded to the crown of Prussia; and being brother to the princess of Orange, he was still more alive to the recent transactions in the United Provinces, and more solicitous for the restoration of the stadtholder to his honors and authorities. As a proof of the interest he took in these affairs, on the 2d of September, when he had been only sixteen days upon the throne, he sent his minister of state, count de Goertz, with a letter to the states general, confirming the representations of his predecessor, and declaratory of his own sentiments and wishes; but the states of Holland protested against any interference in their internal concerns, by a person so nearly connected with one of the parties; and to mark their contempt of the new Prussian monarch, on the 22d of that month, they suspended the stadtholder from all the functions belonging to his office as captain general within their province, and discharged their troops from that part of their military

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oath by which they were bound to obey his orders. The king, however, was not to be diverted from his purpose by this protest or by these violent measures; but at the same time being desirous of not proceeding to extremities without absolute necessity, he proposed, that France, the ally of the republic, and known to be friendly to the anti-stadtholderian party, should, together with himself, undertake the office of settling and composing the differences by which the United Provinces were at present distracted. This proposal could not well be declined, though, probably, neither side expected, that it would be attended with success. Count de Goertz being appointed on the part of Prussia, and M. de Rayneval on that of France, the negotiations commenced at the Hague towards the end of November, and continued for some weeks; but there being no prospect of bringing the contested points to an amicable adjustment, M. de Rayneval put an end to the treaty by abruptly setting out for Paris, about the middle of January 1787. Count de Goertz, who was at Nimeguen, whither he had gone to confer with the stadtholder, when M. de Rayneval left the Hague, returned to Berlin without taking leave of the states general; and the king of Prussia, finding a pacific accommodation entirely hopeless, and being resolved to have recourse to a more effectual method of settling the dispute, gave orders for collecting an army, with all convenient speed, in the duchy of Cleves, which is contiguous to the United Provinces.

In the mean time disorders increased in every part of the republic. The attempt to introduce a new system in the construction of the governments of different places in the several

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provinces, and other subjects of contest, were frequently productive of serious commotions. The military being by no means under proper discipline, and the citizens disregarding the authority of the civil magistrates, many towns were exposed either to the ravages of soldiers, or to the violence of a licentious populace. Soldiers being enlisted on both sides, there were several skirmishes between the troops of the opposite parties, and some towns were taken by military force. Magazines were formed; commanders were appointed to the respective armies; and the whole country put on the appearance of an approaching civil war.

While affairs were in this critical situation, the princess of Orange, with only a few attendants and servants, undertook a journey from Nimeguen to the Hague, for the purpose of making a conciliatory proposition, in the name of her husband, to the states general and to the states of Holland. She entered the province of Holland on the 28th of June, and was on that day stopped by a body of armed burghers and a detachment of cavalry in the service of the states, who would not allow her to proceed upon her journey; but taking her and her whole party into custody, carried them back to Schoomhoven as prisoners. The princess remained there under guard the whole of the next day; and on the following morning, she was permitted to return to Nimeguen, after having experienced from the commander of the burghers and soldiers, not merely rudeness and incivility, but the utmost insolence and brutality.

The king of Prussia, upon being informed of this shameful occurrence, transmitted a memorial to the states general, in language much stronger than he had hitherto used. He

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expressed the deepest sense of the affront, violence, and injury, which his sister had sustained, as if offered directly and personally to himself. He insisted upon immediate and ample satisfaction, and required that exemplary punishment should be inflicted upon those who had committed the outrage. The states of Holland, both before and after this memorial was presented, publicly justified the conduct of the soldiers; and in a haughty tone contended, that the measures pursued were necessary for preserving the peace of the province. But on the other hand, not only the states general, but even the court of Versailles, to whom the king of Prussia had communicated the whole affair, acknowledged, that the treatment experienced by the princess was a gross insult, for which full reparation ought to be made. The French ministers, however, although in this instance they could not but condemn the opponents of the stadtholder, by no means withdrew from them their secret support and encouragement; and they even proceeded to the length of assembling an army of 14,000 men at Givet, in the bishoprick of Liege, to indicate an intention of openly resisting any forcible interference on the part of Prussia, in the affairs of Holland.

Though to engage in war at the present moment would have totally deranged Mr. Pitt's economical and financial plans, yet the subversion of the stadtholder's authority, and the reduction of the United Provinces to a state of dependance upon France, would, on account of their local situation and maritime strength, have been so injurious to the interests of this country, that he determined, without hesitation, zealously to support the line of conduct adopted by the king of Prussia; and throughout this

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business there was a confidential communication between the courts of London and Berlin. The friends of the prince of Orange being in pecuniary difficulties, the English government privately supplied them with a considerable loan, without the authority of parliament, and afforded them every other encouragement and assistance in their power. Sir James Harris*, our ambassador at the Hague, presented several memorials to the states general, expressive of the earnest wishes of the king of Great Britain for the restoration of peace and harmony under the stadtholderian form of government; and in that of August 14th, 1787, after lamenting "the continuance of the unfortunate troubles in the republic of the United Provinces," he offered the mediation of the king his master "for the re-establishment of the tranquillity of the republic, the preservation of the true constitution, and the maintenance of the just rights and privileges of all its members;" but the states of Holland declined all interposition on the part of Great Britain, upon the ground of the known attachment of the king to the cause of the stadtholder.

It being now evident, that nothing but the sword could decide the points in dispute, and that the king of Prussia was resolved to march his army, already prepared, into the United Provinces, for the purpose of avenging the insult offered to his sister, and of re-establishing the prince of Orange in his rights, the party which had usurped the government, formally applied to the court of France for military succours, which were readily promised.

On the 16th of September, the court of France made

* Afterwards earl of Malmsbury.

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a regular notification to the court of London, of its intention to afford the states general the assistance they had requested; to which the British ministers immediately replied, that in that case their king would take an active part in favor of the stadtholder. Under this apprehension of an immediate continental war, orders were instantly given for augmenting our navy and army; and sir William Fawcett was sent into Germany, where he signed a treaty, to be in force for four years, with the minister of the landgrave of Hesse Cassel, by which it was agreed, that the landgrave should receive a subsidy of 36,000*l.* a year, upon condition of his supplying Great Britain with 12,000 troops, within a short specified time after they should be required. Mr. Pitt, with his usual energy, had previously sent dispatches both by sea and over land to the governor general of Bengal and to the governor of Madras, informing them of the state of affairs in the United Provinces, and directing them to be prepared, in case of a civil war in Holland, and an actual rupture with France, to seize the Dutch possessions in the name of the stadtholder, and to attack the French settlements in India. It appears from the answers to these dispatches, that the French governor, as if expecting war with the English, was busily employed in fortifying Pondicherry, and that there was reason to apprehend, that Tippoo Saib would join the French with all his force.

France, however, perceiving the determination of Great Britain by the spirited exertions she was making, and being extremely distressed by the situation of her own internal concerns, did not think proper to march the troops, which had been sent to Givet, into the United Provinces, although it was

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certain, that very considerable numbers of French officers and soldiers were employed in the Dutch army, and that the promise of a direct and powerful support from France had inspired the revolutionary party with a confident hope of a complete change in the government of the United Provinces. This was indeed a point for which the French had been long anxious, and which they had endeavored to promote by all the means of secret intrigue and clandestine co-operation; but being now, from unforeseen circumstances, utterly unable to maintain a contest against the joint efforts of Prussia and England, they were under the mortifying necessity of abandoning their favorite object, the consequence of which, they well knew, must be, the loss of all their influence in the counsels of the republic, and the immediate restoration of the prince of Orange.

The Prussian army, consisting of about 18,000 men, under the command of the duke of Brunswick, entered the territories of the states general, in three columns, on the 13th of September, and so rapid was the progress of these forces, and so successful their operations, that an equal number of fortified places was probably never before taken in the same space of time. The enemies of the prince of Orange, being disappointed of the promised assistance from France, found it impossible to make any effectual opposition, and, in the course of eight days, the whole of the United Provinces yielded to the victorious troops of the duke, except Amsterdam, which surrendered after a fortnight's siege. The stadtholder, having made his triumphal entry into the Hague, amidst the acclamations of the people, was re-instated in all his rights and

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prerogatives; the antient forms of government were re-established in the different cities and towns; and tranquillity being restored in every part of the republic, the duke of Brunswick, before the end of October, withdrew his troops, except about 4,000 men, into the Prussian territory.

On the 27th of October, the duke of Dorset, the British ambassad orat Paris, and Mr. Eden, who was still residing there as envoy, to settle some arrangements relative to the commercial treaty, presented a declaration to the court of Versailles, stating, that in consequence of the late occurrences in the republic of the United Provinces, they were authorized to ask, whether it was the intention of his most christian majesty to carry into effect the notification of the 16th of September, which had occasioned armaments to take place both in England and in France; and they added, that if the court of Versailles was disposed to explain itself in a manner conformable to the desire expressed on both sides to preserve a good understanding between the two courts, and it being also at the same time understood, that there was no view of hostility towards any quarter on account of what had passed, his majesty was ready to agree with the most christian king, that the armaments, and in general all warlike preparations, should be discontinued, and that the navies of the two nations should be again placed upon the footing of the peace establishment, as it stood on the 1st of January of the present year. To this declaration a satisfactory reply was made on the same day, by the count de Montmorin, the French minister, and an agreement was immediately signed by both parties to the effect proposed by the duke of Dorset and Mr. Eden.

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Thus ended the contest in the United Provinces, which afforded Mr. Pitt the first opportunity of shewing his spirit and principles with respect to foreign policy; and the manner in which he acted, greatly raised his credit in the courts of Europe*, and met with universal approbation in this kingdom, extorting praise, as we shall presently see, even from his political opponents. This settlement was of material importance to Great Britain in many points of view, and particularly with reference to her East Indian possessions, which, according to what has been already observed, might have been exposed to great danger, if France had succeeded in establishing a permanent ascendancy over Holland.

THESE events were considered of sufficient magnitude to cause the meeting of Parliament on the 27th of November; and his majesty, in his speech from the throne, expressed the highest satisfaction, that the disputes in the United Provinces, which not only endangered the constitution and independence of that republic, but seemed likely in their consequences to affect the security and interests of the British dominions, had been brought to a happy termination, without disturbing his

* Count Woronzow, the Russian ambassador to our court, in writing to his brother, who was the empress's first minister, said, "La France ne s'est pas mal humiliée dans les affaires d'Hollande, et après par cette declaration. L'Angleterre au contraire a joue un role brillant et ferme, et la conduite de Monsieur Pitt ressemble fort à cette occasion à celle, que feu son pere a tenue, et qui n'etoit plus connue ni pratiquée en Angleterre depuis sa retraite jusqu' a ce que son fils est entré dans les affaires. J'ai eté si attaché, et si rempli de respect pour feu milord Chatham, que je prends un vif interêt a la conduite et la consideration que son fils attire, et qui auroit bien rejoui le pere s'il avoit vecu jusqu' à ce tems la.

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subjects in the enjoyment of the blessings of peace: after a brief recital of the principal circumstances which have been related, he informed parliament, that he continued to receive from all foreign powers the fullest assurances of their pacific and friendly disposition towards this country, although he had to regret, that the tranquillity of one part of Europe was interrupted, by the war which had broken out between Russia and the Porte: he then stated, that he had entered into a convention with the most christian king, explanatory of the 13th article of the last treaty of peace, and calculated to prevent jealousies and disputes between their respective subjects in the East Indies; and that he had ordered copies of the several treaties to which he had referred, and of the declaration and counter-declaration exchanged at Versailles, to be laid before them. He acquainted the house of commons, that the estimates for the ensuing year, together with an account of the extraordinary expences lately incurred, would be laid before them; and while he assured them of his earnest desire to confine the national expenditure to the narrowest limits, which a prudent regard to the public safety would permit, he could not but recommend to their particular attention, to consider of the proper means for maintaining his distant possessions in an adequate posture of defence. The speech concluded with some general reflections upon the flourishing state of the commerce and revenue of the country, upon the advantages to be expected from the continuance of the public tranquillity, and the strong tendency which the zeal and unanimity manifested by his subjects on the late occasion, must have to secure that invaluable blessing.

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The address was moved in the house of commons by Mr. Ryder *, who, at the end of his speech, observed, that the vigor and activity of our late measures respecting Holland, had been attended with the happiest effects; that we had repaid to that country those very blessings, which, at the glorious revolution, she had enabled us to preserve, and might now look forward with confidence to the renewal of our antient and natural connexions: we had retrieved the glory of the empire, and re-assumed our rank among the surrounding nations; and we had shewn that, after a long and exhausting war, in which we had fought, not for glory, but for existence, we were still ready to exert our strength at the call of justice and of honor.

In the short debate which followed, Mr. Fox acknowledged, that were it possible for him upon the present occasion, either to refuse his concurrence to the sentiments conveyed to parliament through the speech from the throne, or to oppose the motion for the address, he should commit an outrage against all those principles and opinions by which his political career had been constantly marked. He had always been convinced, that Great Britain ought to look to the situation of affairs upon the continent, and to take such measures upon every change of circumstances abroad, as should best tend to preserve the balance of power in Europe. Upon this sound and wise maxim his majesty's ministers had acted, and he thought them entitled to the highest applause. He declared himself friendly to subsidiary treaties, but he had not at present sufficient information to enable him to express an opinion upon that which had been concluded with the landgrave of Hesse Cassel.

* Now earl of Harrowby.

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He remarked, that the agreement between the courts of France and Great Britain to disarm, was confined to the naval establishment, although his majesty had stated, that on receiving the notification from France of her intention to assist the usurpers of the government in Holland, he had given immediate orders for augmenting his forces both by land and sea: Why then was not the military force to be reduced as well as the naval? This led him to notice another part of the speech, in which it was recommended to the particular attention of the house, to consider of the proper means of maintaining his majesty's distant possessions in an adequate posture of defence. He had the honor, he said, to be in administration, when the peace establishment was settled; and therefore, if it were inadequate, the blame was due to him, and to those with whom he acted: it had, however, been continued for four years by the present ministers, who may now perhaps have become acquainted with circumstances, which have convinced them, that the establishment after the peace was insufficient; and if so, they would doubtless lay before the house their reasons for that opinion, and then it would be for the house to decide upon their validity and force. Mr. Fox concluded by declaring, that he should vote for the address with the most unequivocal sincerity.

Mr. Pitt expressed great satisfaction that the house was likely to be unanimous upon the present occasion, and that Mr. Fox's general principles and sentiments relative to foreign politics and subsidiary treaties, coincided with his own. With respect to the intended increase of the establishment for the defence of our distant possessions, he said, that he should

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always be averse from the practice of considering, how far measures, proposed to be adopted, might have a tendency to justify or condemn such as had already been entered into; or forming a judgment of one administration from the conduct of another. Such a practice would set up a dangerous influence over ministers, and might be a temptation to them to persevere in errors of their own, lest they should appear to acknowledge them; and to abandon the most politic institutions of their predecessors, lest they should bear testimony to their wisdom. On such principles as these he should never form his judgment, or suffer himself to be influenced by such motives: If he found any establishment inadequate to its object, he should, without regarding, whether he had himself made the original arrangement, or had found it already made by a preceding administration, take the earliest opportunity of increasing it to what appeared to him its proper standard: since, besides that circumstances might so far vary, as to make a change in the establishment necessary, in which case there would be no room for blame of any sort, he should never, to avoid the detection or apparent acknowledgment of an error, incur the guilt of continuing it, at the expence of the safety of the interests of the empire, after he had found it to be insufficient for its purpose. But, whether the present establishment had been too small originally, or whether a change of circumstances had made it so, was not now the question: the point to be considered was, what degree of defence was now actually necessary—for to that the establishment ought to be immediately raised; as no person could doubt the policy of keeping our possessions in such a state of security, as should leave no

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Mr. Pitt, again referring to the manner in which Mr. Fox had expressed himself, said, that whether he should be so happy as to meet with the same concurrence of opinion, when the different subjects, mentioned in the king's speech, should come to be regularly discussed, as the right honourable gentleman's candor on this day gave him reason to hope, could not yet be ascertained; but he held it as a favorable omen of the happy continuance of the most enviable rank which this country had lately regained, that notwithstanding any differences with respect to domestic politics, notwithstanding various dissentions and animosities of party by which the house had long been divided, yet, on this important occasion, they had adopted that unanimity, of which the public had already set the example, and by so doing had given effect

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to the exertions of government; and he flattered himself, that the several states of Europe must look with admiration upon Great Britain, when they perceived, that no views of party, no principles of self-interest, no prejudices, no personal attachments, could give a false direction to the judgment of the great body of the people, or bias the sentiments or voices of their representatives, upon points like the present—points not merely of magnitude and advantage, but in which government, having acted uprightly and with a becoming regard to the best interests of the nation, might appeal with confidence to the country for support. The address passed without a single dissentient voice.

Mr. Pitt's intimation relative to his intention of proposing an increase in the military establishments of our foreign possessions, explained the reason of the reduction of the army not being mentioned either in the declaration to the French court, or in the king's speech, an omission which was, as we have seen, noticed by Mr. Fox.

Two days afterwards Mr. Pitt presented to the house of commons, copies of the convention between the kings of Great Britain and France, on the subject of the 13th article of the last treaty of peace, and of the declaration and counter-declaration respecting the discontinuance of the armaments; and of the treaty with the landgrave of Hesse Cassel; and also an account of the expences of the late armaments.

THE first business brought before the house of commons was, a motion for granting one year's subsidy to the landgrave of Hesse Cassel; upon which occasion Mr. Pitt represented

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the treaty with that prince as giving him a retaining fee of 36,000*l.* a year, to hold him in our interest, and to supply us with 12,000 troops, who might be employed upon the continent in case of a rupture with any foreign power. He stated that this was part of a general system of forming continental connexions, with a view that Great Britain might maintain that rank among the European states, which she formerly held, and had now in some degree recovered. He contrasted the respectable figure this country had made in the recent transactions in Holland, with the humiliation and depression to which she was reduced in the last war, when she was deserted by every power in Europe. Mr. Fox and Mr. Burke acknowledged the importance of continental connexions, and the advantage of the treaty then under consideration: The motion passed unanimously.

THE expences of the late armament, amounting to 336,751*l.* were voted without any observation; but, upon the motion for a permanent augmentation of the land forces, there was a debate of considerable length. The proposed increase was 3,064 men, and the ground upon which it was applied for, had been mentioned on the first day of the session, namely, that his majesty's ministers having, in consequence of the late expectation of hostilities with France, examined into the state of our distant possessions, had found the military establishments in the West Indian islands inadequate to their defence against a sudden attack from an enemy. The number of troops at present employed in the different islands, having been settled by the late administration in 1783, Mr. Fox and his friends considered

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this intended augmentation a censure upon their judgment, and opposed it with great eagerness, as an unnecessary addition to the standing army, and an expence, which, in the present state of the country, ought to be avoided. Mr. Pitt, in supporting this measure, observed, that there were but three ways of endeavoring to secure our West Indian islands, either by keeping a large stationary fleet in the West Indies; by sending out succours upon the prospect of any rupture; or by maintaining a military force upon the islands, equal to their defence for a short time. Experience had proved, that a naval force only could not protect them, since, with a large fleet in the West Indies last war, sometimes superior to that of the enemy, the French had wrested several of the islands from us. With regard to the second expedient, to say nothing of an attack without a previous declaration of war, it might happen to be inconvenient or unsafe to detach any part of our force suddenly from Europe; and if not, our succours, from a variety of causes, might not arrive in time to prevent mischief. The last, therefore, appeared to him the most eligible mode of accomplishing this object; and the more so, when he considered that from the dispersion and distance of the islands, and the peculiarities of climate with respect to winds and currents, it would sometimes be absolutely impossible for a fleet to afford that speedy relief, which the occasion might require, unless there was a sufficient number of troops upon the island to secure it from surprize*. Mr. Pitt acknowledged that some

* This might have been illustrated by an occurrence, which had taken place within the last ten years. On the rupture between this country and France, in 1778, M. de Bouillè, governor of Martinique, pushed over to Dominica with part

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additional fortifications upon a moderate scale, were intended, and declared that they were so essential to render the military force effectual, that they might be considered as an indispensable part of the plan. For the propriety of this measure ministers had not only the sanction of a board of English general officers, but of the most eminent French engineers, since every island belonging to that nation was fortified; and they had even begun to fortify those which they took from us in the last war, as soon as they came into their hands. No person, he said, could be more anxious upon the subject of expence than he was; but he contended, that any moderate expence, by which the continuance of peace could be more firmly ensured, was true economy, and the best economy this country could adopt. It was upon this principle, and after a full consideration of the state of our finances, that he thought it would be wise to lay out 200,000*l.* in fortifications, and 80,000*l.* annually, the sum which the proposed augmentation of troops would cost, for the purpose of strengthening those parts of our dominions, which were discovered to be weak and vulnerable, and of keeping them in such a constant posture of defence, as might deter any hostile power from attempting to seize them by surprize: to act otherwise, would be to invite an attack, by leaving them exposed and unprotected; it would be to be sparing of our wealth, and lavish of the prosperity

of his garrison only, captured that valuable island, containing one of the best harbours in the British West Indian possessions, and returned to Martinique, before admiral Barrington, then lying at Barbadoes with the British fleet, was aware of the enterprize. The French immediately fortified and garrisoned their conquest so effectually, as to defy any British attack during the war. Other islands afterwards fell in the same manner.

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of the British empire. The motion was carried by a majority of 242 to 80.

AT the time a rupture was expected with the court of Versailles, in consequence of its avowed determination to assist the disaffected party in Holland, and of the actual assemblage of troops at Givet, government, knowing the disposition of France to disturb our power in India, had taken the resolution of sending four regiments for the better protection of our possessions in that quarter of the world; and this having been intended, not as a temporary measure, but as a permanent establishment, ministers persevered in their design, after all apprehension of hostilities had ceased. The directors had fully acceded to this proposal when originally made to them by the commissioners of the board of control, the proper channel of communication between them and ministers, and had agreed, that the troops should be conveyed in the ships, and be maintained in India, at the expence of the company. The settlement of the disputes in Holland, and the amicable arrangement with the court of Versailles, induced them, however, to change their minds, and they refused either to send the troops in their ships, or to maintain them in India; asserting, that unless they had themselves made a requisition for farther military assistance, they were, by the act of 1781, which they considered as still in force, under no obligation to defray the expence of any regiments which might be sent to India; in which they were supported by the opinion of several eminent counsel, whom they consulted upon the subject. On the other hand, Mr. Pitt, supported by the crown lawyers,

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contended, that the act of 1784 transferred to the board of control, all the powers and authorities which had been formerly vested in the court of directors, relative to the military and political concerns of India, as well as the collection, management, and application of the revenues of the territorial possessions; considering those parts of the acts of 1781, which were inconsistent with the provisions of the act of 1784, as being by that act virtually, if not expressly, repealed, and consequently, that the board of control was competent to give any orders for the conveyance and maintenance of troops at the expence of the company.

This different construction of the acts of 1781 and 1784, upon so important a point, rendered it necessary for Mr. Pitt to apply to parliament for an authoritative declaration of the power of the board of control in this respect, and therefore, on the 25th of February, having stated to the house of commons the above circumstances, he moved for leave to bring in a bill "for removing any doubts respecting the power of the commissioners for the affairs of India, to direct, that the expences of raising, transporting, and maintaining such troops as may be judged necessary for the security of the British territories and possessions in the East Indies, should be defrayed out of the revenues arising from the said territories and possessions." The motion after a long debate was carried without a division.

The bill was introduced on the following day, and met with the most decided opposition in almost every one of its stages. Upon the second reading, the East India company, who had presented a petition against it, were heard by their counsel. The principal objections urged by them, and by members of

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the house, in the different debates which took place, were, First, That the construction, attempted to be put upon the act of 1784, was not the true construction; and Secondly, That allowing the act to admit of such construction, the powers it vested in the board of control, were injurious to the rights and interests of the company, and of a dangerous political nature, and therefore ought not to be confirmed.

In answer to the first objection, clauses of the act of 1784 were quoted, by which it was enacted, "That the board of commissioners should be fully authorized and empowered from time to time to superintend, direct, and control all acts, operations, and concerns, which in anywise relate to the civil or military government or revenues of the British territorial possessions in the East Indies, in the manner herein after directed;" and "the court of directors shall, and they are required to, pay due obedience to, and shall be governed and bound by, such orders and directions, as they shall from time to time receive from the said board, touching the civil or military government and revenues of the British territorial dominions in the East Indies." In addition to these clear and unequivocal words, it was contended, that it was the express and avowed design and intention of the act, to take the entire management of the territorial possessions, and the political government of India, out of the hands of the company, leaving them only the direction of their commercial concerns; and as the board of control was in future to be responsible for the prosperity, defence, and security of our Indian possessions, it must of course be invested with the authority, necessary for the discharge of those important duties. It was asked, how

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the board could provide for the safety and protection of our eastern dominions, if it had not the power of prescribing what military force was to be kept up? And if it had the management of the revenues of the country, how could any one doubt, whether it had the power of ordering, that the expence of maintaining the troops, requisite for its defence, should be defrayed out of those revenues?

Besides which, Mr. Pitt, in the most positive manner assured the house, that it was his original intention to give those powers to the commissioners; and he recollected, that in describing the nature of the board, he had called it a board of "active control," an expression which, though ridiculed at the time, sufficiently marked his ideas upon the subject. It was also certain, that the board had, in several instances, exercised an authority similar to that now contended for, and particularly in 1785, when, the company's treasury in India being utterly inadequate to the payment of the current services, the board ordered, that the army should be paid in preference to every other claim; which order was obeyed without any resistance or remonstrance on the part of the directors, although it left scarcely any money to satisfy other pressing demands.

To the second objection it was replied, that the power, as explained by this declaratory bill, was almost universally acknowledged to be necessary for the accomplishment of the object in view, the directors having proved themselves incompetent to the management of the military and political concerns of their territories. Indeed it seemed to be consonant to every principle of government, as well as to reason and common

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sense, that the military force to be kept up in all our distant possessions, should be under the regulation and control of the king's ministers, who must be supposed to be better acquainted with subjects of that kind, and also with the designs and dispositions of foreign powers, than a company of merchants. The act of 1784 was, when it passed, censured as impotent and ineffectual to its purpose; and now it was complained of as scarcely less exceptionable than Mr. Fox's bill, although, instead of annihilating the court of directors, and seizing all their property, it left them in possession of the complete management of their commercial concerns and of the entire patronage, both in India and in Europe: It extended not its interference, as was now again argued, with the rights and privileges of the company, beyond the absolute necessity of the case; and even Mr. Fox, in one of the debates occasioned by this declaratory bill, acknowledged, that it was impossible to preserve entire and inviolate the charter of the East India company, and at the same time to save its territories eventually from ruin.

Under this general objection it had been urged by the opponents of the bill, that if the board of control had an unlimited power to send out troops to India, at the expence of the company, an army might be established there without the consent or knowledge of parliament, which might be of dangerous tendency; and therefore Mr. Pitt, to prevent the possibility of such an abuse, proposed a clause to limit the number of troops, for the payment of which the commissioners of the board of control should be empowered to issue their orders, to 8,045 men of his majesty's troops, and 12,200 of European troops in the company's service.

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It was also urged, that the board of control might, if it had the entire command over the revenues of India, apply them for the purpose of creating an undue influence, to the prejudice of the company's interests, by ordering an increase of the salaries or perquisites of the company's servants, or by distributing gratuities among them, under pretence of rewarding services: In order, therefore, to obviate every apprehension of that kind, Mr. Pitt proposed two clauses, by one of which the commissioners were prohibited from directing any increase of salary or perquisite, unless proposed by the directors, and previously submitted to both houses of parliament; and by the other, the commissioners were prohibited from ordering any gratuity to the company's servants, unless recommended by the directors. And as a general check upon the conduct both of the directors and of the board of control, with respect to the revenues of the company, Mr. Pitt introduced a fourth clause, directing, that, in February of every year, there should be laid before the two houses of parliament a particular account of the receipts, disbursements, and debts of the company, in their several presidencies, made up according to the latest advices.

Mr. Pitt having thus obviated every real objection to the bill, it at length passed both houses, after numerous debates and several divisions, in which the majorities were very large in its favor.

In opening the budget on the 5th of May, Mr. Pitt expressed great satisfaction at being enabled to lay before the house, a most favorable account of the state of the national finances. Although, he said, a just attention to the prosperity and honor

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of the country, together with other circumstances, had caused a considerable expenditure in the last year beyond the estimate in 1786, yet such was the flourishing condition of the revenue, that it afforded the means of providing for all the services which had been voted, without recurring either to a loan or new taxes, or interrupting the progress of the sinking fund.

As was usual upon these occasions, he enumerated all the particulars both of the supply and of the ways and means. Exclusively of the articles which appeared on both sides*, the former amounted to 5,779,000*l.* and the latter to 5,796,000*l.* leaving a surplus in the exchequer of 27,000*l.* The extraordinary expences of the year amounted to 1,282,000*l.* which arose principally from the late armament, from the necessity of putting our distant possessions in a more complete posture of defence, from the payment of the prince of Wales's debts, and from other temporary causes. But though these very expences would not occur again, other extraordinary demands must be expected in the next two years, amounting probably to a million or a million and a half, for which, however, he thought there would be ample resources in the improved revenue of the country.

In this estimate was not, he said, included one article, of so large an amount, and of so peculiar a nature, that he intended to make a particular provision for it, which he would explain on a future day—he alluded to the claims of the American loyalists.

He observed, that in consequence of the additional troops

* These were for exchequer bills and for deficiencies of several funds to the 5th of April 1787, amounting together to 6,078,000*l.*

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to be maintained in our West Indian islands, and of the Hessian subsidy, and of some other unforeseen charges and alterations, our settled peace establishment, which he trusted, would take place in 1790, instead of 15,478,000*l.* as calculated by the committee in 1786, would be 15,624,000*l.*; and he informed the house, that the produce of the whole revenue for the year ending the 5th of last April, was 15,792,000*l.* which was 168,000*l.* more than the annual expenditure, as now estimated. To make the prospect still more promising, he mentioned, that in the last year there were several unfavorable circumstances, particularly the check which commerce had received from the alarm of war; and that various branches of the revenue were increasing, and many more susceptible of improvement. From a comparative view of different years, he shewed, that since the peace there had been an addition of three millions to the annual revenue, half of which was to be ascribed to new taxes, and the other half to the prevention of frauds and the advancing prosperity of the country; and that there had been a similar progressive increase in the exports, imports, and number of ships employed in our fisheries. He added, that in four years we had expended seven millions upon our navy; and had built and repaired 30 ships of the line, and 35 frigates, more than were built and repaired within the same period after the peace in 1763. The whole of this statement could not but be highly satisfactory to the house, and the necessary resolutions passed without any opposition.

Soon after the conclusion of peace, commissioners were appointed to inquire into the losses of persons, who had been

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deprived of property or income in the course of the American war, from their loyalty and attachment to this country. These inquiries, under the sanction and direction of different acts of parliament, had been continued to the present time, and being now nearly brought to a termination, Mr. Pitt, on the 6th of June, submitted to the house a plan for the adjustment and final liquidation of these claims. He stated, that in his opinion the American loyalists could not call upon parliament to make compensation for the losses they had sustained, as a matter of strict justice; but at the same time he acknowledged, that they had a strong claim upon the generosity and compassion of the country. He had endeavored to mark this distinction in the arrangement he had formed; and with that view he divided the loyalists into three different classes. In the first class, he ranked all who had resided in America at the commencement of the war, and who, having from principles of duty to their lawful sovereign, refused to concur with the Americans in their hostile proceedings, were obliged to abandon their estates and property, which were, in consequence, seized and confiscated by the ruling party. The mode he meant to adopt with respect to this class, whom he considered as the most deserving, and as having the strongest grounds of any of the loyalists to expect a compensation, was, to pay those, whose claims were so small, that any deduction from them would materially affect their means of subsistence with any degree of comfort, the full amount of their losses. He proposed therefore to pay such loyalists the whole of their claims, if they did not exceed 10,000 *l.*; and when their claims amounted to a sum between ten and thirty-five thousand pounds, to deduct fifteen

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per cent from the excess above 10,000 *l.*; and when their claims exceeded 35,000 *l.* a larger per-centage. The second class was to consist of those who had at the commencement of the war been resident in England, and consequently had not been driven from America: to this class also he proposed to allow the whole of their claims, when they did not exceed 10,000 *l.*; but when their claims amounted to a larger sum, he proposed to deduct a higher per-centage than in the former class. The third class was to comprehend those, who, having either enjoyed places or exercised professions in America, were compelled to leave that country by the war. With regard to these persons, it was to be considered, that though they had been driven from America, they were able to obtain fresh incomes by the exertion of their talents and industry elsewhere; and therefore he did not think it necessary to allow to any of these claimants the full incomes of which they had been deprived. He proposed that those, whose incomes had not exceeded 400 *l.* a year, should receive one half by way of pension; that where their incomes had been between 400 and 1,500 pounds, they should receive 50 per cent upon the first 400 *l.* and 40 per cent upon the remainder; and where their incomes had been more than 1,500 *l.* they should receive 30 *l.* per cent upon the excess above 400 *l.* per annum. All the various claims, calculated according to these principles, would amount to 1,228,239 *l.* exclusive of about 500,000 *l.* which had been already advanced at different periods, as a temporary relief to those who were in immediate distress.

Upon this occasion Mr. Pitt submitted to the house the case also of the East Florida claimants, who had been under the

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necessity of quitting their habitations and property, in consequence of that country being ceded to Spain by the treaty of peace. These persons he considered as standing in a very different predicament from the American loyalists, as they had suffered by the voluntary act of the British government; and therefore he proposed, that they should be indemnified for the whole of their losses, amounting, as settled after a careful investigation, to 113,952 *l.*

He proposed, that these sums should be paid by instalments, and that the money should be raised by the profits of a lottery, to commence next year, and to be continued annually till the whole should be liquidated; and that in the mean time negotiable debentures should be issued bearing an interest of 3½ per cent, which would make them nearly equal in value to prompt payment. This plan, with which the persons immediately concerned had previously expressed themselves satisfied, now met with the warmest applause of parliament, as equally liberal and judicious; and every part of the arrangement was acceded to with universal consent.

THE trade carried on by this country and other European nations, upon the coast of Africa, in the purchase of negro slaves to be employed in the cultivation of the West Indian islands, and certain parts of the continent of America, does not appear, till of late years, to have been considered with that attention, which, from its repugnance to the mild principles of modern policy and manners, it might have been expected to excite. The first public attempt to put a stop to this practice, was made by the quakers of the southern

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provinces of America, who, soon after the establishment of American independence, presented addresses for that purpose to their several legislative assemblies; and in 1787, the same sect in England, following the example of their American brethren, presented a similar petition to the house of commons. The cause of these unfortunate sufferers immediately became extremely popular, and was taken up with great zeal and earnestness by various descriptions of persons. A society was formed, and a considerable sum of money subscribed, with a view to collect information relative to this traffic, and to support the expence of an application to parliament for its abolition, which, it was not doubted, would meet with resistance from the planters and merchants. Pamphlets were published upon both sides of the question, but chiefly against the trade; and in February of the present year, Mr. Wilberforce informed the house of commons of his intention to make a motion relative to the slave trade, in the course of the session. In consequence of this notice, numerous petitions were presented to the house, from the counties and most considerable towns of the kingdom, the general prayer of which was, that the trade might be abolished; and a committee of privy council, upon the recommendation of Mr. Pitt, was appointed to inquire into the facts and allegations contained in them. A serious indisposition prevented Mr. Wilberforce from making his intended motion; and therefore Mr. Pitt, on the 9th of May, moved the following resolution, "That this house will, early in the next session of parliament, proceed to take into consideration the circumstances of the slave trade complained of in the petitions presented to the house, and what may be

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fit to be done thereupon." He added, that before that time, the inquiry, instituted by the privy council, would be brought to a conclusion, the result of which might be laid before the house, to facilitate their investigation, and to enable them to form a decision, founded equally upon principles of humanity, justice, and sound policy; and he pledged himself to submit the question to the consideration of parliament, in case the state of his honorable friend's health should not then allow him to undertake the business. Mr. Fox and Mr. Burke expressed great concern at the delay; and at the same time severely reprobated the inquiry which was carrying on before the privy council; contending, that it ought to have taken place in the house of commons, and asserting, that it was the duty of that house to advise the king, and not to ask his advice. The motion however passed unanimously.

In the course of the debate, or rather conversation, caused by the above motion, sir William Dolben desired leave to say a word or two upon a matter, which, in his mind, was a most crying evil, and called for an immediate remedy. He alluded neither to the sufferings of the slaves at home, from the hands of their cruel countrymen, nor to their sufferings from their unfeeling masters, the planters, in the West Indian islands; but to that intermediate state of tenfold misery, which they suffered in their transportation from the coast of Africa to the West Indies. He stated, that when put on ship-board, the poor unhappy wretches were chained to each other hand and foot, and being crammed close together, they generated putrid disorders, and every sort of dangerous disease; so that, when their overseers came to examine them in the morning, they had

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almost daily to pick numbers of dead slaves out of their rows, and to unchain their carcases from the bodies of their wretched fellow-sufferers, to whom they had been fastened. Nor were the baneful effects of the contagion thus created, confined to the slaves: it affected the ships crews, in consequence of which, great numbers of the seamen, employed in the horrid traffic, died every voyage. And he concluded by remarking, that if some remedy were not applied without delay, 10,000 lives might be lost between the present session and the next meeting of parliament. This summary statement made a strong impression upon the house, and there appeared a prevailing wish that the grievance now complained of should be taken into consideration, independently of the general question.

Accordingly, towards the end of the month, Sir William Dolben introduced a bill to regulate the shipping and carrying slaves in British vessels from the coast of Africa. This bill contained provisions, for limiting the number of slaves to be taken on board, in proportion to the tonnage of the vessel; for requiring the surgeon to keep an account, to be attested upon oath at the end of the voyage, of the number of slaves received on board, and of the number of deaths which had taken place; and for compelling the captains to use proper precautions for the preservation of the health and the accommodation of the slaves. The bill was objected to by the members for Liverpool and Bristol, and by other persons connected with the slave trade, who endeavored to prevail upon the house to postpone the business to the next session; but this attempt was so generally disapproved, that they were under the necessity of abandoning it, and they determined to

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oppose the bill itself. Petitions were presented against it by the merchants and traders of Liverpool and London, stating the injury they must necessarily suffer by the proposed regulations; and several days were occupied in hearing counsel and examining witnesses. It appeared from the evidence adduced, that the length allotted in the ship to each slave, was five feet and a half, and the breadth sixteen inches; and that the distance between the deck or floor on which the slaves lay, and the platform on which other bodies were spread, was two feet or two feet and a few inches; and it farther appeared, that in consequence of this mode of conveyance, five at least out of one hundred slaves died in a voyage of about six weeks, which was seventeen times the usual rate of mortality: It was indeed much more, because in the general estimate of human life, persons of every age are included, while in an African cargo of slaves the old were entirely excluded, and few infants were admitted. Such was the destructive nature of the trade under its most favorable circumstances; but in some cases the mortality was proved to be nearly twice as great.

These facts, reluctantly drawn from witnesses brought forward in support of the present system, were so decisive against it, that the friends of the bill did not think it necessary to produce any evidence of their own. Mr. Pitt said, that the trade, as now carried on, was contrary to every humane, every christian principle, and to every sentiment which ought to inspire the breast of man; and therefore he was determined to give the bill his warm support. He hoped that the house, being now in possession of information, which was never before communicated to them, would endeavor in some measure to extricate

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themselves from that guilt, and from that remorse, which every man ought to feel, for having so long overlooked such cruelties and such oppressions, endured by human beings, in the course of a trade carried on by British subjects, under the express authority of former parliaments*. He wished to ask gentlemen, what must be their feelings, were half the unfortunate Africans, now about to be purchased by English captains of vessels, to undergo the hardships and the deaths, which many of their unhappy countrymen have undergone in former voyages. He was confident, that the house would support him in any measure to snatch these wretched beings from the jaws of destruction, and from the iron hand of unrelenting avarice. With a view therefore of putting a stop to this misery, and to this waste of human life, as speedily as possible, he should propose a clause, making all slave ships, which had already sailed from England, subject to the regulations of the bill, provided the captains were made acquainted with them; and for that purpose he should think it proper to dispatch copies of the act to the coast of Africa, by a quick-sailing vessel from the admiralty. He was aware that, by this retrospective operation, the merchants, who had prepared for, and perhaps actually made, greater purchases of slaves, than the bill allowed, might sustain a pecuniary loss; but he trusted the house would consent to make compensation for such loss, which probably would not exceed 15,000*l.* an object of no con-

* The 23d of Geo. 2, c. 31, recites: Whereas the trade to and from Africa is very advantageous to Great Britain, and necessary for the supplying the plantations and colonies thereunto belonging, with a sufficient number of negroes at reasonable rates, &c. &c. &c.

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sideration, when the interests of humanity were so materially concerned. Mr. Pitt also, with the hope of exciting greater attention to the preservation of the lives of the slaves, proposed another clause for granting certain bounties to the owners and surgeons of ships, in which the mortality upon the voyage should not exceed two, and certain other bounties where it should not exceed three, in the hundred.

The bill, with these clauses, passed the house of commons, after two divisions, in one of which the minority was five, and in the other two: It also passed the house of lords, but not without considerable opposition. It was to continue in force till August the 1st, 1789, before which it was hoped that a general bill would be passed upon the subject of the slave trade.

Soon after the meeting of parliament, in November 1787, Mr. Hastings delivered to the house of lords, his answers to the charges which had been exhibited against him, and they were immediately transmitted to the house of commons. Upon their being read, Mr. Burke moved, that they should be referred to the consideration of a committee; which having been agreed to, Mr. Pitt proposed Mr. Burke as the first member, and the house unanimously consented. Mr. Burke then proposed Mr. Francis, who was rejected without debate, by a majority of 97 to 23. Mr. Burke remonstrated at some length against this vote, but the speaker would not allow any reply to be made, asserting, that it was contrary to order, to debate a question, after it was decided by a division. The other members of the committee were appointed; and the replication which they drew

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up, to the answers of Mr. Hastings, was carried by Mr. Burke to the house of lords, who appointed the 13th of February for the commencement of the trial in Westminster Hall.

To account for this rejection of Mr. Francis by so decided a majority, it is to be observed, that he had been a member of the supreme council at the time Mr. Hastings was governor general of Bengal, both being appointed to their respective offices by lord North's bill in 1773; and that most violent disputes had arisen and continued for several years, between these two gentlemen. Early in 1780 an apparent reconciliation took place; but in July of that year, Mr. Hastings publicly, in a minute of the council board, accused Mr. Francis of having forfeited the faith, which he had pledged to him, in such strong language as to lead to a duel, in which Mr. Francis was dangerously wounded. When he considered himself in a dying state, he expressed his forgiveness of Mr. Hastings; but he unexpectedly recovered, and the former enmity was revived. Not long after, Mr. Francis returned to England, and took a very active part in supplying the accusers of Mr. Hastings with materials, and in promoting the impeachment, both openly and secretly, by every method in his power.

The time was now arrived for appointing managers of the impeachment before the house of lords; and it was evident from the late division, and from the well-known impression which the conduct of Mr. Francis towards Mr. Hastings had made, that any motion for naming him one of the managers, would be resisted. Mr. Fox, however, undertook to propose him, in a very elaborate speech, and was warmly supported by Mr. Windham. After several members had objected to

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Mr. Francis, upon the ground of the duel and the avowed enmity which had so long subsisted between him and Mr. Hastings, Mr. Pitt, in allusion to the speeches of Mr. Fox and Mr. Windham, remarked, that it was not a question of argument, but of feeling: It appeared to him, that it would be obviously improper in the house to appoint, as one of their representatives upon this occasion, the only individual, who had been concerned in a personal contest with the party accused; and upon that principle he should vote against the motion. Mr. Francis entered into a detailed vindication of himself, but with so little effect, that the motion was negatived by a majority of 122 to 62.

Mr. Burke and the other members proposed as managers *, were appointed without any opposition; but as Mr. Pitt was not one of the number †, it will not be necessary to give an account of the proceedings in Westminster Hall, except as far as they gave rise to debates in the house of commons, in which he took a share.

EARLY in the session, sir Gilbert Elliott ‡ brought forward six charges against sir Elijah Impey, with a view of making them

* The managers were Mr. Burke, Mr. Fox, Mr. Sheridan, Mr. Pelham, Mr. Windham, Sir Gilbert Elliott, Mr. Grey, Mr. Adam, Mr. Anstruther, Mr. Michael Angelo Taylor, Lord Maitland, Mr. Dudley Long, General Burgoyne, Mr. North, Mr. St. John, Mr. Fitzpatrick, Mr. Wilbraham, Mr. Courtenay, and Sir James Erskine.

† Mr. Burke privately requested Mr. Pitt and Mr. Dundas, that they would allow him to propose them as managers; but they both declined the office. All the managers were of the opposition party.

‡ Afterwards earl of Minto.

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the ground of impeachment. Sir Elijah Impey had been appointed the first chief justice in India, under lord North's regulation act in 1773; and was recalled by a vote of the house of commons in 1781, in consequence of his having accepted a civil employment in the native court of justice in Bengal, which was considered as incompatible with his former situation. The first charge related to the trial of the rajah Nundcomar, a bramin of the highest rank, whom the supreme court of judicature, in which sir Elijah Impey presided, had condemned to death, and caused to be executed, as having been guilty of forgery. After examining witnesses and written documents at great length, and hearing sir Elijah Impey two days in his own defence, the general question was debated on the 9th of May. Mr. Pitt replied to every part of sir Gilbert Elliott's speech, which had been delivered on three different days; and at the conclusion, he declared, that in no view could any corrupt motive be brought home to sir Elijah Impey; and that he never voted with a more decided conviction of mind, than that, with which he should give his negative to the present motion: upon a division, however, the majority in favor of sir Elijah Impey was only 18, the numbers being 73 and 55. This first and principal charge being rejected, sir Gilbert Elliott did not proceed with the others, and of course no impeachment took place.

Mr. Pitt did not fail to improve the advantage obtained by the favorable termination of the disputes in Holland. He availed himself of this opportunity to enter into a negotiation with the states general of the United Provinces; and on the

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15th of April, a treaty of defensive alliance between them and the king of Great Britain was signed at the Hague. This treaty began with stating, that the mutual and sincere friendship, which had so long subsisted between the contracting parties, having been increased and strengthened by the interest which his Britannic majesty had lately manifested in the preservation of the independence and legal constitution of the republic, it was resolved, in order to cement, in the most solid and lasting manner, the good harmony, confidence, and correspondence between them, to form permanent engagements by a treaty of defensive alliance, for the good of both parties, and for the maintenance of the general tranquillity, as well as of their own in particular. The treaty contained a mutual guarantee of the integrity of all the dominions of the contracting parties, and a stipulation, in case either should be hostilely attacked by any European power, to afford succours, both by sea and land; and it was farther agreed, that if the contracting parties should be involved in war with a common enemy, neither should disarm without the consent of the other, and that they should communicate confidentially to each other, any proposals which might be made for a peace or truce. His Britannic majesty also guaranteed the existing form of government in the United Provinces, and all the constitutional rights and prerogatives of the stadtholder: And, with respect to commerce, it was agreed, that the subjects of the two countries should be respectively treated in the other, as the most favored nation, except that no alteration was to be made in the import duties payable upon linens.

On the same day this treaty was signed at the Hague,

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a similar treaty was signed at Berlin, between Prussia and the United Provinces; the negotiations for the two treaties having been carried on with a mutual understanding between the courts of London and Berlin.

A copy of the treaty between Great Britain and the United Provinces was presented by Mr. Pitt, to the house of commons, on the 23rd of May; and soon after he introduced a bill for carrying into effect the commercial part of it, which passed without any difficulty.

His majesty prorogued parliament on the 11th of July, with a speech from the throne, in which he acknowledged with satisfaction, their uniform and diligent attention to the welfare of his people, so apparent in all their proceedings: he lamented the continuance of war between Russia and the Porte, in which the emperor of Austria had also taken part; but the assurances which he received from foreign powers, afforded him every reason to expect, that his subjects would continue to enjoy the blessings of peace. He concluded, with expressing a confident hope that the engagements into which he had recently entered with the king of Prussia and the states general of the United Provinces, would be productive of the happiest consequences, in promoting the security and welfare of his own dominions, and in contributing to the general welfare of Europe.

A provisional treaty of defensive alliance between the kings of Great Britain and Prussia, was signed at Loo, on the 13th of June: Besides the usual articles respecting the mutual guarantee of their respective dominions, assistance in case of hostile attack, and joint consent in making peace, the

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contracting parties bound themselves to act at all times, in concert, and with mutual confidence, for the purpose of maintaining the security, independence, and government of the United Provinces, conformably to the engagements into which they had lately entered with that republic, by separate treaties, which they had communicated to each other. The treaty itself, founded on this provisional treaty, was signed at Berlin on the 13th of August; and on the following day, Mr. Ewart, the British minister at that court, wrote thus to Mr. Pitt: "His Prussian majesty has desired me to express to you the strongest assurances of his particular esteem and regard, and the sense he has of the zeal you have shewn in promoting the conclusion of the alliance, that is so happily formed between the two courts, by which, he said, your name, already so dear to this country, had acquired in his eyes new value and merit, in descending from an immortal father to a no less illustrious son. Count Hertzberg* has begged me to express the same sentiments in the strongest terms."

The object of these treaties between Great Britain, Prussia, and Holland, was, not only to preserve the balance of power in Europe against the influence of France; but also to counteract any ambitious attempts which might be made by the emperor of Austria and the empress of Russia, who had recently entered into a close union and friendship. Indeed the latter was a consideration of greater importance at this moment, than the former; for the internal state of France, as will be seen in a subsequent chapter, becoming every day more and more embarrassed, she was no longer capable either of disturbing

* The king of Prussia's first minister.

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the peace of her neighbors, or of affording them protection in case of attack from any other quarter: and this very circumstance of present weakness in that generally-powerful kingdom, rendered it the more necessary to provide this barrier against the dangerous alliance of the two imperial courts, which, from its being contrary to the former policy of those countries, and from the character of the sovereigns, could not but be attributed to motives of conquest and aggrandizement. The war which Russia and Austria were now jointly carrying on against Turkey, was a strong confirmation of that opinion; and there was reason to suspect, that they would hereafter direct their hostile views to the middle and western parts of Europe.

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CHAPTER THE TENTH:

1788.

The King's Illness—Proceedings in Parliament—His Majesty's Recovery—Thanksgiving Day—Observations.

IN the early part of the summer of this year, the health of the king had in some degree declined*; and the day after the prorogation of parliament, he went to Cheltenham by the advice of his physicians, but did not derive the expected benefit from the medicinal waters of that place. He returned to Windsor on the 16th of August; and, not long after, his disorder took a most unfortunate turn. Symptoms of mental derangement occasionally appeared, and gradually increased both in frequency and in degree, so that in the course of the next six or eight weeks he was several times unable to hold his usual levees at St. James's. On the 21st of October he wrote to Mr. Pitt, desiring to see him at Windsor; and adding, that though an invalid, it would be an amusement to him to talk over business with Mr. Pitt. At the levee, on Friday the 24th, his manner and conversation were such, that the nature of his indisposition was evident to all who were present. Mr. Pitt

* On the 12th of June the king wrote to Mr. Pitt from Kew, complaining of a bilious disorder, and saying that sir George Baker (his physician,) would not allow him to go to town on that or the following day, quiet being essential to him. —On the 18th the king wrote again to Mr. Pitt from Kew, informing him that he was better.

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was greatly affected, when he attended his majesty in the closet after the levee, which the king observed, and noticed in writing to him the next day from Kew. In this letter, he said that he held a levee to prevent false reports, and a fall of the stocks, and, probably in some degree aware of his situation, he directed Mr. Pitt not to allow any political papers to be sent to him, before the next levee on Wednesday. On Saturday the 25th he went to Windsor; but neither his majesty, nor any of the royal family, attended divine service on the following day, a decisive proof that he was then seriously ill. Nor was he permitted to go to London, for the purpose of holding a levee on Wednesday the 29th; but four days afterwards he wrote to Mr. Pitt, informing him, that he was better, and able to sign warrants, but not to read dispatches, and therefore he desired to see Mr. Pitt at Windsor. In neither of these letters is there a single incoherent expression. Hitherto the disorder had fluctuated; but the paroxysms of the malady, accompanied with highly bilious affections, now brought on so violent a fever, that his majesty became totally and constantly deprived of the use of reason, and his life was for several days in imminent danger*. Sir George Baker, the physician, who

* Just at this moment Mr. Pitt wrote to me at Buckden, saying: "The effect most to be dreaded is on the understanding. If this lasts beyond a certain time, it will produce the most difficult and delicate crisis imaginable, in making provision for the government to go on. It must, however, be yet some weeks before that can require decision; but the interval will be a truly anxious one. You shall hear again soon; but if, in the course of a few days, you could spare the time to come to town, I should be very glad to talk with you, as there will be a thousand particulars you must wish to know, which I cannot write. I shall not stir from hence, except for going to inquire at Windsor." I went to town immediately;

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had attended his majesty at Kew, from the 17th to the 25th of October, afterwards visited him at Windsor; and from the 5th of November, he and Dr. Warren and Dr. Reynolds remained there day and night, sir Lucas Pepys and Dr. Addington attending occasionally. The prince of Wales and the duke of York took up their residence at Windsor; and the ministers frequently repaired thither to confer with the physicians. The gazette of November the 11th announced, that the king had passed the preceding night quietly, but that there was no abatement in his complaint. About this time the state of his majesty became generally known, and excited the greatest consternation, and most lively grief, among all classes and descriptions of his loyal and affectionate subjects. Those who, from their rank and situation in the country, were most interested in the event, and called upon to take a part in this new and calamitous exigency, hastened to the capital.

His majesty's ministers had intended, that parliament should not meet till after Christmas; but it having been prorogued to the 20th of November, and the king, although his life was no longer considered in immediate danger, being, from the unabated continuance of his mental disorder, incapable of ordering a commission to be issued for a farther prorogation, its meeting took place on that day as a matter of course. The ordinary forms of opening a session, could not indeed be observed; but the speaker of the house of commons, at the

and late at night found Mr. Pitt expecting a messenger every moment with the account of the king's death: but the intelligence, which did not arrive till two in the morning, proved more favorable.

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request of the members present, took the chair, and several new members were sworn.

Mr. Pitt then stated the cause of parliament being assembled without the usual previous notice or speech from the throne, and expressed a hope, that the impropriety of discussing any public business, under present circumstances, would be readily admitted. He proposed, that the house should adjourn for a fortnight; and intimated, it would then be indispensably necessary, if his majesty's disorder should continue, to take into consideration what measures ought to be adopted. To give their proceedings all possible weight and solemnity, he farther proposed, that a call of the house should take place on the 4th of December, and that the speaker should write circular letters, requiring the attendance of every member. All the motions for these purposes, passed without a single observation from any person. Similar motions proposed by the lord president *, passed in the house of lords.

That some authentic information relative to the situation of his majesty, might be obtained, a privy council was held at Whitehall on the 3rd of December, to which all the members, without any discrimination or exception, were summoned †; and the five physicians ‡, who had attended his majesty during his illness, were called before them, and examined upon oath. The substance of the answers which they gave to the questions

* Lord Camden.

† Of 54 who attended, 24 were of the party of opposition.

‡ Dr. Warren, sir George Baker, sir Lucas Pepys, Dr. Reynolds and Dr. Addington.

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put to them, was, that his majesty's indisposition rendered him incapable of meeting his parliament, and of attending to any sort of public business; and that judging from their experience in similar cases, there was a fair probability of his recovery, but that it was impossible to fix any time when that event might be expected.

On the following day, Mr. Pitt presented the report of this examination to the house of commons, and moved, that it should be taken into consideration on the 8th; at the same time giving notice, that he should on that day propose the appointment of a committee to search for precedents, in any degree applicable to the present melancholy state of public affairs. After this motion was unanimously agreed to without any remark, Mr. Vyner suggested a doubt, whether it suited the dignity of parliament, to make a report from the privy council the ground work of their proceedings: he was inclined to think, that the house ought to order the attendance of his majesty's physicians, for the purpose of their being examined at the bar, or in a committee above stairs, before any measure should be adopted or proposed. Mr. Pitt observed, that nothing could be farther from his intention, than to preclude the house from pursuing any mode, which might be judged most proper for procuring the necessary information. He was, however, of opinion, that when gentlemen reflected upon the delicacy of the subject, they would think, they might act upon the report of the privy council, without any infringement of the dignity of parliament. It should be remembered, he added, that the examination of the physicians by the privy council, had been upon oath, which could not be the case

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before that house*. Mr. Fox expressed his approbation of the steps which had been taken †, concurring, however, with Mr. Vyner in the doubt, whether the house ought to rest satisfied without the personal examination of those physicians, on whose testimony they were to found consequences of the utmost importance. He admitted, that all possible delicacy ought to be observed; but if delicacy and duty should happen to clash, the latter ought not to be sacrificed to the former. Nothing farther was now said upon this subject.

The death of one of the members for Colchester ‡ having occasioned a vacancy for that borough, the speaker acquainted the house, that he was doubtful, whether, during the inefficiency of one branch of the legislature, he was authorized to issue writs for filling up vacancies in the representation of the people. Mr. Pitt delared himself to be decidedly of opinion, that though no act could take place, which required the joint concurrence of all the different branches of the legislature, yet each of the houses of parliament, in its separate capacity, was fully competent to the exercise of those powers, which concerned its own orders and jurisdiction. In this sentiment the house acquiesced in silence; and immediately adjourned to the 8th.

The distance of Windsor from London being found extremely inconvenient to the physicians, the king was removed to Kew,

* The house of commons has no power to administer an oath to a witness.

† When the nature of the king's indisposition was first known, Mr. Fox was in Italy, not expecting that parliament would meet till after Christmas. An express was immediately sent to him, and he returned to England on the 24th of November.

‡ Sir Edmund Affleck.

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on the 29th of November*; and the continuance of his disorder, without any abatement, suggested the idea of calling in the advice and assistance of Dr. Willis†, who had long been distinguished for his successful treatment of the malady under which his majesty labored. He began his attendance on the 5th of December, and resided constantly in the palace at Kew, having the immediate care of the king's person; and the other physicians visited his majesty in rotation, at stated times‡. A bulletin was sent to St. James's every morning, signed by the physicians; and a lord and a groom of the bedchamber attended for several hours, to shew it to the numerous and

* Notwithstanding the state of the king's mind, the physicians thought, that a note from Mr. Pitt, expressing a wish that his majesty would remove to Kew for the benefit of change of air, would have weight with him; and in consequence of Mr. Pitt's note the king consented to a removal, which till then he had resisted.

† Dr. Willis was a clergyman, and rector of Wapping. He was doctor of physic in the university of Oxford, and had for 28 years kept an asylum for insane persons at his residence at Gretford in Lincolnshire, having every year not less than 30 patients, of whom nine out of ten had recovered within three months after they were placed under his care.

‡ Either sir Lucas Pepys, Dr. Gisborne, or Dr. Reynolds was at Kew, from four o'clock every afternoon till eleven the next morning. At ten o'clock every morning Dr. Warren or Sir George Baker came to Kew, and consulted with the physician who had been there all night, and with Dr. Willis, and generally remained there about an hour. Dr. John Willis, Dr. Willis's son, was constantly at Kew as an assistant to his father; and another of his sons was also frequently there. Dr. Addington had left off practice, but was sent for from Reading, where he resided, in the beginning of the king's illness, because he had formerly paid particular attention to cases of insanity: he occasionally saw his majesty with the other physicians, in the subsequent part of his illness; but his age and infirmities would not allow him to attend regularly.

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anxious inquirers after his majesty's health. The bulletins were also published in the gazette.

On the 8th, Mr. Pitt called to the recollection of the house, the doubts which had been expressed relative to the propriety of parliament acting upon the evidence, which had been given by the physicians before the privy council, and the opinion which he had himself delivered upon that occasion: He had then spoken, he said, from the impulse of the moment; but, being solicitous that the mode of proceeding should be perfectly satisfactory to the house in general, he wished to know, whether it was the sense of any number of gentlemen, that a particular inquiry before a committee of their own house, would be more regular and desirable. He stated, that since the last meeting of the house, two more physicians had been called in*, one of whom was particularly conversant in disorders of this kind, which might be considered as an additional reason for appointing a committee of the house to examine the physicians. He had thought it his duty to throw out these ideas; and, as the only mode of ascertaining the sentiments of the house, he moved, "That a committee be appointed to examine the physicians, who have attended his majesty, touching the state of his health, and report such examination to the house." This motion was universally approved, and a committee of twenty-one members, proposed by Mr. Pitt, nine of whom were of the opposition party, was appointed, after which the house adjourned.

The committee met next day, and Mr. Pitt was chosen chairman. Those physicians, who had been examined by the privy council, repeated the opinions they had before delivered;

* Dr Willis and Dr. Gisborne.

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and Dr. Willis, who was now examined for the first time, expressed a confident hope, that the king would recover, though he could not pronounce how long his majesty's illness might continue. He attributed the disorder to weighty business, severe exercise, too great abstemiousness, and too little rest: He added, that the medicine, which had been given to his majesty, since Sunday morning, with the intention of meeting and counteracting those causes, had already produced as much effect as he could reasonably have expected; and that his majesty had been gradually better from the first six hours after his taking it. Some of the other physicians admitted, that his majesty's general health was rather improved. The fact was, that the view which Dr. Willis took of the king's complaint, was very different from that of the regular physicians: Their mode of treating his majesty, had, it was confessed, entirely failed; and, by the recommendation of Dr. Willis, a new plan was adopted, on their part with very slender, and on his with very sanguine, expectation of success.

After presenting the report of this examination to the house, on the 10th, Mr. Pitt observed, that his majesty's incapacity to transact any business having been now proved before a committee of their own members, and the time of his recovery declared to be extremely uncertain by all the physicians, it became the duty of parliament to provide for the present serious situation of affairs, with every proper degree of dispatch. The point to be agitated upon this occasion, he said, involved in it the future rights of sovereignty, the interests of the people, the welfare of the empire, and the fundamental principles of the constitution; and that the house might have the advantage

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of the wisdom of their ancestors to guide them in this arduous and momentous business, and know from authority, what steps had been formerly taken under similar circumstances, he moved, "That a committee be appointed to examine and report precedents of such proceedings as may have been had, in case of the personal exercise of the royal authority being prevented or interrupted, by infancy, sickness, infirmity, or otherwise, with a view to provide for the same."

Mr. Fox, rising immediately, said, that it being undoubtedly the duty of parliament to lose no time in providing for the exigency of the present moment, he could not but consider the motion, which had been proposed, as unnecessary and improper. What were they going to search for? Not precedents upon their journals—not parliamentary precedents—but precedents in the history of England. He would be bold to say, nay they all knew, that the doing so would prove a loss of time; for there existed no precedent whatever, which could bear upon the present case. The mode of providing for it was not a matter of deliberation in that house; it rested elsewhere. There was then a person in the kingdom, different from any other, to whom existing precedents could refer, an heir apparent, of full age and capacity to exercise the royal power, on whom the government necessarily devolved. It behoved them, therefore, not to waste a moment, but to proceed, with all becoming speed, and all becoming diligence, to restore the sovereign power and the exercise of the royal authority. The house being now in possession, in a regular and authentic manner, of the true state of the king's health, he contended, that it was then the precise time for them to decide, without

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the delay of a single moment. In his firm opinion, his royal highness the prince of Wales had as clear, as express, a right to assume the reigns of government, and exercise the power of sovereignty, during the illness and incapacity of the king, as in the case of a natural demise; and it only rested with the two houses of parliament to pronounce, when his royal highness was to take possession of and exercise his right. He thought it candid, entertaining this opinion, to come forward fairly, and avow it at that instant. That the prince had not himself urged this his indubitable claim, he imputed to his known moderation, and his reverence for those principles, in the maintenance of which his family had flourished with so much prosperity and happiness, as sovereigns of the British empire. But ought his royal highness to wait unnecessarily? Ought he to wait while precedents were searched for, when it was known that none existed? He acquitted Mr. Pitt of any desire to create delay; and added, that being desirous of acceding to every proposition consistent with the due solemnity of their proceedings, he should not resist the motion, although he had thought it incumbent upon him to declare his sentiments freely and unreservedly.

From the manner in which Mr. Fox asserted the right of the prince of Wales to the regency, it is evident that his object was, to sound the house, and to enable himself to form a judgment, how far it might be expedient to bring forward a regular motion upon that subject, on a future day. Mr. Pitt, who had made himself perfectly master of the question in all its parts and bearings, instantly perceived, that Mr. Fox had advanced an opinion, which he could not substantiate by any legitimate

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authority, and which was likely to be very unpopular both in parliament and in the country. Taking advantage therefore, with his usual quickness and adroitness, of this imprudence in his political antagonist, he replied, that he must be allowed the liberty of observing, that the right honorable gentleman had thrown out an idea, which he defied all his ingenuity to support upon any analogy of precedent, or to reconcile to the spirit and genius of the constitution. The doctrine which the house had just heard, was itself, if any additional ground were necessary, the strongest and most unanswerable reason for appointing the proposed committee, which could possibly be assigned. If a claim of right was intimated, though not formally, on the part of the prince of Wales, to assume the government, it became of the utmost consequence to ascertain from precedent and history, whether there was any foundation for this claim, the establishment of which would preclude the house from the possibility of all deliberation upon the subject. He was confident, it would appear from the intended investigation, that to assert such a right in the prince of Wales, or in any one else, independent of the decision of the two houses of parliament, was little less than treason to the constitution. He said, that he did not mean then to enter into the discussion of that great and important point, because a fit occasion must soon be afforded to the right honorable gentleman and himself, for stating their respective sentiments upon it. In the mean time he pledged himself to this position, that in case of the interruption of the personal exercise of the royal authority, without any previous lawful provision having been made for carrying on the government, it belonged to the other

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branches of the legislature, on the part of the nation at large, the body they represented, to provide, according to their discretion, for the temporary exercise of the royal authority, in the name and on the behalf of the sovereign, in such manner as they should think requisite; and that, unless by their decision, the prince of Wales had no more right (speaking of strict right) to assume the government, than any other individual subject of the country. What parliament ought to determine, was a question of discretion. However strong the arguments might be on that ground, in favor of the prince of Wales, into which he would not enter at present, it did not affect the question of right; because neither the whole, nor any part of the royal authority, could belong to him in the present circumstances, unless conferred by the houses of parliament. He admitted, that the claim of his royal highness was entitled to the most serious consideration; and that very circumstance, he said, rendered it more necessary to learn, how the house had acted in cases of similar exigency, and what had been the deliberate opinion of parliament on such occasions. He would not allow, that no precedent, analogous to the present interruption of the personal exercise of the royal authority, could be found, although there might not exist a precedent of an heir apparent in a state of majority, during such an occurrence; but even in that case he contended, that it devolved to the remaining branches of the legislature, on the part of the people of England, to exercise their discretion in providing a substitute.

Mr. Pitt insisted, that by the mode in which the right honorable gentleman had treated the subject, a new question

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presented itself, which, being of greater moment even than the one originally proposed, must be decided by the house. The question now was, the question of their own rights; and it was become a doubt, according to the right honorable gentleman's opinion, whether that house had, on this important occasion, a deliberative power. Let then parliament resolve, to learn and ascertain its own rights. Let every man in that house, and every man in the nation, who might hear any report of what had passed in the house that day, consider, that on their future proceedings depended their own interests, and the interest and honor of a sovereign, deservedly the idol of his people. Let not the house, therefore, rashly consent to the annihilation of the authority of parliament, in which the existence of the constitution was so intimately involved.

After Mr. Fox and Mr. Pitt had re-asserted their opposite opinions, Mr. Burke rose, and in reprobating Mr. Pitt's denial of the right of the prince of Wales to assume the government without the authority of parliament, he called Mr. Pitt "a competitor of the prince;" and, in a subsequent part of his speech, he described him as "the prince opposite to him." Mr. Burke was called to order for the former of these expressions; and Mr. Pitt appealed to the house, whether the opinion which he had delivered, justified Mr. Burke in calling him a competitor of the prince. At the period of settling the constitution, on that foundation on which it now rested, when Mr. Somers and other great men declared, that no person had a right to the crown independent of the consent of the two houses of parliament, would it, he asked, have been thought

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fair or decent, to have pronounced Mr. Somers a competitor of the prince of Orange?

The committee of 21 persons, named by Mr. Pitt, of whom nine, as in the former committee, were the principal members of opposition, was appointed without any farther debate; and upon their report being presented to the house, on Friday the 12th of December, Mr. Pitt, who had been chairman of the committee, said, that as copies of the report could not be delivered till Monday, it would not be proper for him to submit to the house, any motion founded upon it earlier than Tuesday: he therefore proposed, that on that day the house should resolve itself into a committee, to take into consideration the state of the nation.

Mr. Fox again asserted his opinion, that from the moment parliament was formally made acquainted with the king's incapacity, from that moment a right attached to the prince of Wales, to exercise the regal functions in the name of his father; and that nothing remained for the two houses but to make a declaration of that right, and, by a joint address, to request his royal highness to exercise the royal functions during the indisposition of his majesty; and that by virtue of his office as regent, he would enjoy all the powers of a sovereign. He added, that if his royal highness had done him the honor to ask his advice how to proceed, he should have told him, that as parliament was sitting, he thought his royal highness might send a message to either house, or to both houses, stating his claim, and calling upon them to recognize it. For his own part, he had entertained sanguine hopes, which he did not yet altogether abandon, that whatever doubt there might

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be of the right of the prince of Wales to exercise the royal authority, men of every description would have concurred in one leading and essential principle; and have allowed the propriety, under present circumstances, of investing his royal highness with the sole administration of the government, and with the unlimited exercise of the royal functions and prerogatives. He requested Mr. Pitt to state, what sort of proposition he intended to bring forward on Tuesday, that the house might turn it in their minds, and be prepared to discuss it, with some degree of knowledge of its propriety and expediency; and he added, that it might be a convenience to himself, and to those who acted with him, to be acquainted with the general outlines of the whole plan, which Mr. Pitt intended hereafter to propose.

From this speech it appears, that Mr. Fox, being aware that his assertion of the prince of Wales's right to the regency, had been very ill received in the house, and had caused considerable alarm in the country, had relinquished the idea of pressing this claim upon parliament; and was now only anxious to procure for his royal highness, under the appointment of the two houses, the full enjoyment of all the powers of royalty. He seems also, at this time, to have apprehended, that it was the intention of Mr. Pitt to propose, conformably to the practice on former occasions in different reigns, a council of regency, without whose consent the prince should not be authorized to perform any important act of government.

Mr. Pitt expressed himself ready to afford Mr. Fox every satisfaction in his power, with respect to the plan he meant to pursue; but previously observed, that in his judgment it would

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be subversive of the principles of the constitution to admit, that the prince of Wales might, under any circumstances, seat himself on the throne, during the life-time of his father; and therefore, after what had been asserted upon that subject, he should think it his duty to bring forward the question of right, as a preliminary question. No other point could indeed be discussed, till they knew, whether they were sitting as judges, merely to pronounce upon the fact of the king's incapacity, or as a house of parliament possessing a power of deliberation, and capable of exercising their own discretion. They must first ascertain, whether that, which should be vested in the hands of the prince of Wales, was, a matter of adjudication on their part as a right in his royal highness, or a trust on behalf, and in the name, of his majesty. If this question should be determined in the manner he thought it ought, according to the true principles of the constitution, he should afterwards propose specific measures for providing for the interruption of the royal authority, occasioned by his majesty's present incapacity to exercise it.

He proceeded to declare, that however decided he might be in his opinion against the whole or any part of the regal power being vested in the prince of Wales, as matter of right, in any way in which that right had been explained, he was equally ready to say, that as a matter of discretion, and on the ground of expediency, it was, in his opinion, highly desirable, that whatever part of the regal power it was necessary should be exercised at all, during this unhappy interval, should be vested in a single person, and that this person should be the prince of Wales: that he thought it also most consistent with

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true constitutional principles, and most for the public convenience, that his royal highness should exercise that portion of authority, whatever it might be, unfettered by any permanent council, and with the free choice of his political servants.

With regard to the portion of the royal authority, which ought to be given, and that which ought to be withholden, it would be premature in this stage to enter into any particular discussion; but he had no objection, even then, to declare in general, that whatever authority was necessary for carrying on the public business with vigor and dispatch, and for providing, during this interval, for the safety and interests of the country, ought to be given; but, on the other hand, any authority, not necessary for those purposes, or capable of being, by possibility, employed in any way, which might tend to embarrass the exercise of the king's lawful authority, when he should be enabled to resume it into his own hands, ought to be withholden, because, from its being given, more inconvenience might arise to the future interests both of the people and of the crown, than any which could arise, in the mean time, from its temporary suspension.

Mr. Pitt added, that he could justify the principles of this explicit declaration of his intention, on the ground, that whatever was given to the regent, or withholden, ought to be given or withholden, with a view to the moment, when his majesty should be capable of resuming his rightful prerogatives; a circumstance, to which it peculiarly became him to look, in the situation in which he stood, honored with the confidence of a sovereign, to whom he was bound and strongly attached by the ties of gratitude and duty—but of this he would say no

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more. Whatever judgment might be formed of what he had declared, he was conscious of having given a free and an honest opinion. He conceived, that it would not be thought necessary for him to go any farther into the subject at present, as in the committee on the state of the nation, with whom the whole adjustment of the regency must rest, it would be incumbent upon him to come forward with the different propositions separately, and to proceed, step by step, to mark and define, by distinct resolutions, what part of the royal prerogatives should be given, and what withholden.

Mr. Fox acknowledged, that Mr. Pitt had stated, and with extreme candor, nearly every thing which he desired, indeed full as much as he did, or had any right to, expect. Convinced, however, that he had imprudently advanced a doctrine, which could not be supported by any legitimate authority, and which was generally disapproved, Mr. Fox strongly deprecated the discussion of the question of right; and Mr. Sheridan, instead of profiting by Mr. Fox's former want of discretion, with still greater imprudence, now warned Mr. Pitt "of the danger of provoking that claim to be asserted, which had not yet been preferred" This expression evidently caused a considerable sensation in the house; and Mr. Pitt instantly rising, observed, that he had now an additional reason for maintaining the authority of the house, and settling the boundaries of right, when the deliberative powers of parliament were invaded, and an indecent menace thrown out, to awe and influence their proceedings: he trusted, (speaking with great spirit and emphasis,) that the house would do their duty in spite of any threat, "however high the quarter from which it might come."

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An attempt was also made in the house of lords, to prevent a formal decision upon this question. Lord Camden had condemned Mr. Fox's assertion of the prince's right, the day after it was made: he called it a new and extraordinary doctrine, likely to involve the country in infinite confusion and disorder; and added, that he had never met with such a notion in any writer, or heard it from any lawyer whatever. The lord chancellor also declared on the same day, that the doctrine was perfectly new to him, and he considered it as entirely unfounded: but, on the other hand, it was defended by lord Loughborough and lord Stormont. On the 15th, the day before the debate was to take place in the house of commons, lord Fitzwilliam entreated ministers to assure the house of lords, that the question of the prince of Wales's right, should not be discussed in that house, in which request both the duke of York and the duke of Gloucester joined; the former of whom said, that the sentiments and wishes of his brother were the same; and that the prince neither had asserted, nor would assert, any claim of this sort. Lord Camden replied, that as the rights of the two houses had been questioned, it was absolutely necessary, that rights so essential and important should not be left unsettled and undecided. The conversation continued for some time; but at length it being evident, that ministers were determined to bring forward the question of right, the house adjourned.

What passed in the house of commons on the 12th, was misrepresented to the prince of Wales, in so extraordinary a manner, as to lead his royal highness to understand, that Mr. Pitt had given notice of his intention to open the whole of his plan of a regency, on the 16th; and, under that impression,

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he wrote on the 15th to the lord chancellor, complaining of Mr. Pitt, not only in this instance, but with respect to his whole conduct towards him, since the commencement of the king's illness. The prince stated the indecency of bringing forward a plan, by which he was to be appointed regent, without any previous communication with him; and required, that Mr. Pitt should send him in writing, through the chancellor, the outline of what he meant to propose.

Mr. Pitt being extremely desirous of removing these misapprehensions from the mind of the prince, addressed the following letter to his royal highness:

"Downing-street,

"Sir, Monday, December 15, 1788.

"The lord chancellor delivered to me last night a letter, which he had received from your royal highness, from the contents of which I have the unhappiness to perceive, that both my general conduct, and what I have said in the house of commons, has been represented to your royal highness, in a light which I flatter myself neither of them deserves.

"Nothing could give me more concern than to be thought to take any step, inconsistent with the deference and respect which I owe to your royal highness. But I am not conscious of any conduct towards your royal highness, during the present unfortunate circumstances, or at any former period, which has not been dictated by those sentiments, as well as by my invariable attachment and duty to his majesty. I have certainly felt myself bound rather to wait the commands of your royal highness, than to intrude on your royal highness's time, without

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having received a previous intimation of your pleasure; at the same time your royal highness will permit me to recall to your recollection, that I more than once had an opportunity humbly to express my readiness at all times to attend your royal highness, and have several times at Windsor had the honor to inquire, whether your royal highness had any orders for me; and have received for answer, that you had not. I should, however, in common with the rest of his majesty's servants, have felt it incumbent on me, before any specific plan was brought forward in parliament, to request your royal highness's permission humbly to submit it to your consideration. —With regard to what I have said in the house of commons, although I am satisfied that, if what passed in the debate had been faithfully related to your royal highness, you would have formed a very different judgment upon it, I nevertheless do not think myself at liberty, even in my own justification, to state to your royal highness, the particulars of the language used by any other member. But I must beg leave respectfully to assure your royal highness, that I did not declare an intention (as your royal highness appears to have been informed) to lay before the house, on Tuesday next, the particulars of such a plan as the present circumstances may require.—The motion, of which I gave notice for that day, relates to the question of the right of parliament to take the measures, which may be necessary and proper in the present conjuncture.—At the same time, from the circumstances in the debate, (to which I beg leave only to refer generally) I found it unavoidable to enter in some degree, into my general ideas of the outline of the plan proper to be adopted; which, (if

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those circumstances had not occurred) I certainly should not have stated at all, till I was enabled to do so with more detail, and till I had previously asked your royal highness's permission to submit them to your consideration.—Those ideas were in substance, That it was, in my opinion, highly desirable that whatever portion of royal authority might appear necessary to be exercised during the present unhappy interval, should be vested in your royal highness.—That it should be exercised by your royal highness, unrestrained by any permanent council, and with the free choice of the political servants to act under your royal highness.—Precisely what portion of royal authority ought to be given, and what ought to be withheld, I conceived it would be improper then particularly to discuss; but I added, in general terms, the principle, on which in my opinion the distinction ought to be made, with a view to the exigency of the public service, during the present interval, and to the situation of the king when his majesty should be enabled to resume the personal exercise of the government. Until the question of right should have been considered, I expressed my wish to abstain from going into any farther particulars, especially as, if the determination of the house should be contrary to the opinion which I thought it my duty to state on that subject, it would preclude me from bringing forward the propositions, which I should otherwise have to lay before them. Under these circumstances, I must entreat your royal highness's permission not to enter at present, into any farther detail of the measures to be grounded upon the principles which I have stated.

"If I should be fortunate enough to find the sentiments, which

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I entertain, respecting the right of parliament, sanctioned by the determination of the house, I shall think myself highly honored, in the farther progress of this business, in being permitted, according to the wish and intention which I have always entertained, in conjunction with the rest of his majesty's servants, to submit to your royal highness, as explicitly as possible, the best opinions which we find ourselves enabled to form, respecting the specific measures to be proposed for the consideration of parliament.

"I have the honor to be, with the utmost deference and submission,

Sir,

Your royal highness's most dutiful,
and devoted servant,
W. PITT."

Whether this explanation was satisfactory to his royal highness, Mr. Pitt had no means of knowing, as he was not honored with any reply; but throughout the business it was evident, that there were persons who constantly misrepresented to the prince, what Mr. Pitt said in the house of commons, and ascribed his conduct to motives and principles very different from those upon which he really acted.

In the committee on the state of the nation, on the 16th, Mr. Pitt observed, that a century had elapsed, since any point of equal importance had engaged the attention of parliament. The event, to which he referred, was, he said, the revolution, between which and the present situation of affairs, there was, it should be remembered, a great and essential difference. At

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the time of the revolution, the two houses had to provide for the filling a vacant throne; at present, the throne was full, although in reality all the various functions of the executive government were suspended; but which suspension, they had reason to expect, would be only for a short period. While, however, it did continue, the safety of the crown and the interests of the people required, that some provision should be made for this deficiency in the legislature. The first report before the committee, established the melancholy fact of the king's utter incapacity to discharge any of the duties of his station. The second contained a collection of such precedents, extracted from the history of former times, as were in any degree similar to the present unfortunate situation of the country, and would serve to throw considerable light upon the subject, and point out to the house the mode of proceeding most proper to be adopted.

Notwithstanding the magnitude of the question—what provision ought to be made for supplying the present deficiency—there was one still greater and more important, as he had observed upon a former occasion, which must first be discussed and decided. The question to which he alluded, was, whether any person had a right, either to assume or to claim the exercise of the royal authority, during the incapacity of the sovereign; or whether it was the right of the lords and commons of England to provide for the deficiency in the executive government, resulting from such incapacity, in the manner which they shall judge most expedient? By the assertion which had been recently made, a doubt, he said, had been thrown upon the existence of what he had ever considered as the most

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sacred and important right of the two houses of parliament; and therefore it had become indispensably necessary for them to decide that doubt, and by such decision ascertain, whether they had a power to deliberate; or whether it merely belonged to them to adjudge, that the right, which had been mentioned, was legally vested in his royal highness the prince of Wales. He confessed, that the assertion had not been made from any authority; and they had since heard, though not in that house, that it was not intended the claim should be urged; yet it having been once stated by a very respectable member of that house, as his opinion, that such a right did exist, it was an opinion of too much importance to be passed by unnoticed. He entreated the house to remember, that he had not stirred the question of right, originally. If, therefore, any serious danger were actually to be dreaded from its being discussed and decided, that danger and its consequences were solely imputable to the first asserter of the right, and not to him. Had the doubt never been raised, an express declaration upon the subject, would not have been necessary; but it was now become impossible for them to take a single step, till they knew their own character and power. He begged also, that it might not be attributed to him, that he was desirous of wasting time by bringing forward an abstract or speculative question, the discussion of which could answer no end, nor its decision afford any light to guide and assist them in their proceedings. Of a very different nature was the question of right, the resolving of which must regulate their whole conduct, with regard to the present important business, by determining, whether they were exercising their own rights for the safety of the crown,

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and the interests of the people, or whether they were usurping that, which had never belonged to parliament.

The first resolution he should propose to the committee, would be a matter of fact, as the ground of two others, which were designed to follow; and it would merely state, upon the authority of the report from the physicians, that his majesty was disabled by illness from coming to parliament, or attending to public business, from whence arose an interruption of the personal exercise of the royal authority: to this resolution, he conceived, there would be no objection.

The second resolution would contain a declaration, that it was the right of the two houses of parliament, to provide the means of supplying the defect of the personal exercise of the royal authority, during his majesty's indisposition. He said, that in discussing this resolution, he would state the point at issue between himself and the right honorable gentleman opposite to him (Mr. Fox) fairly, and argue upon the solid and substantial difference of their opinions. If he had conceived the right honorable gentleman's meaning properly, he had asserted, that, in his opinion, the prince of Wales, as heir apparent, had, upon the incapacity of the king to exercise the sovereign authority being declared by parliament, as clear, as perfect, and as indisputable a right to take upon himself the full exercise of all the functions and prerogatives of his father, as if his majesty had undergone a natural demise. If this right could be proved to exist by any precedent drawn from history, by any positive law, or by the principles of the constitution, he wished to be told, what those authorities were, and where they were to be found; because in that case the ground would be narrowed,

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and the proceedings of the committee rendered short and simple, as they would have no power or occasion to deliberate: the only step they could take would be, to recognize the claim of right. That claim of right, however, he denied to have any existence, capable of being sustained by any one of the proofs he had mentioned; and he called upon Mr. Fox to point out a single case of infancy, infirmity, or illness, of a sovereign, in which the full powers of sovereignty had been claimed and exercised by any individual whatever.

He desired to remind the committee, that the right honorable gentleman, when he first asserted the prince's right, declared, that he considered the motion for a committee to search for precedents, as unnecessary, because he was persuaded, and the house must allow, that no precedent could be found which bore upon the particular case of a prince of Wales, the heir apparent to the crown, being of full age, and capable of taking upon himself the exercise of the royal authority, under such circumstances as the present. There certainly was no case precisely in point; but the select committee had furnished the house with many precedents, from which analogies might be drawn. If the right attached to his royal highness, under the present circumstances, in the same manner as on the demise of the king, an heir presumptive would succeed as perfectly as an heir apparent; and consequently those precedents which would apply in the one case, would apply in the other.

He should now, he said, refer the committee to the precedents in the report on the table, to convince gentlemen, that their result formed the most undeniable proof, that no such right existed as had been pretended. The first precedent was

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taken from the reign of Edward the third, during whose minority no heir presumptive had claimed the exercise of the royal authority. The parliament of those days, whether wisely or not, was no question before the committee, provided a council about the king's person to act for him; a clear proof, that they conceived the power existed with them to provide for the exercise of the royal authority. The next precedent was in the reign of Richard the second, during whose minority also counsellors were appointed by parliament to exercise the regal power. The third precedent occurred in the infancy of Henry the sixth. At that time the duke of Gloucester, the uncle of the king, and the person nearest the throne then in the kingdom, claimed the regency, and applied to parliament for it as his right; but the answer of parliament was, after a diligent search into the national records, that he had, neither by birth, nor by the will of his brother the late king *, any right whatever to the exercise of the royal authority. They, however, appointed him, in the absence of his elder brother, the duke of Bedford, protector, changing the name, to mark their own absolute power upon this subject. Here, then, was an instance of the claim of right having been actually made, and of a full and deliberate decision by parliament, that no such right existed. It clearly appeared, that in these three instances the royal authority was exercised under a grant of the two houses of parliament.

Having mentioned the power of parliament during the minority of a king, he would, he said, next state their power

* Henry the fifth, upon his death-bed, had ordered, that the duke of Gloucester, during his son's minority, should be regent.

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during the king's absence; and it had been asserted, he observed, that in the greater number of such cases, the power had been given to the prince of Wales. If cases of that kind could be adduced, he owned that they would be cases in point. But to prove what? To prove that such heirs apparent possessed no inherent right, but derived their power from parliament. If a right existed to represent the king, it must be a perfect, and an entire right, a right admitting of no modification whatever, because if any thing short of the whole power were given, it would be less than by right might be claimed; and, consequently, the acceptance of less than the whole power, would be an acknowledgment, that no such right existed. By a reference to the antient records, it would be found, that the custos regni, or lieutenant of the king, had never been invested with all the prerogatives of the king himself. The powers granted to the custos regni had been different, under different circumstances; from which the plain and undeniable inference was, that the custodes regni did not hold their situation as a right, but by appointment. Mr. Pitt remarked that, in modern times, lords justices, which were only a different name for custodes regni, had been frequently appointed by parliament to the exercise of royal authority, in the absence of the king, and during the residence of a prince of Wales of age in the country, which proved, that the prince of Wales was not considered as possessing any inherent right to represent his father.

The last instance he should mention was, where the exercise of the functions of government had been interrupted by severe illness, and which appeared to him to resemble, more nearly than any other, the present melancholy moment. The precedent

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to which he alluded was, in the thirty-third year of the reign of Henry the sixth, when the heir apparent was not of full age. In that case, the parliament appointed the duke of York regent; but conceiving the king's incapacity likely to be lasting, they looked forward to the time when the prince of Wales should attain full age, and granted him a reversionary patent, precisely the same with the duke's, to take effect when he should come of age. Both patents contained limitations, which proved the most positive denial of any right existing, independently of the authority of parliament. If the prince of Wales, when of age, would have possessed a right in himself to the regency, no patent would have been necessary, and any limitation would have been illegal. This instance, by providing for the case of an heir apparent being of full age, during the king's incapacity from illness, was sufficient to shew the sense of parliament in those days, upon the question of right: The prince was to derive his power, and that a limited one, from parliament, and not from his own inherent right.

Having stated and argued upon these precedents, he said, that if no contrary precedents could be pointed out, which he knew to be the case, he should presume, that the committee would of course admit, that as far as the authority of former times was concerned, no right existed with an heir apparent, or heir presumptive, to assume the functions of royalty, on the temporary incapacity of the sovereign.

He next asserted, that no particular law, or the least analogy from any law, could be adduced in support of the doctrine of right: he challenged his opponents to point out any statute of that kind.

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Mr. Pitt lastly adverted to the principles of the British constitution. In most countries, he said, such an event as the calamity which they all deplored, would have gone near to dissolve the bonds of the political union itself; but in this more happily tempered form of government, equally participating in the advantages, and at the same time avoiding the evils of a democracy, an oligarchy, or an aristocracy, it would have no such effect; for though the third estate of the legislature might be deficient, yet the organs of speech of the people remained entire in their representatives, the two houses, through whom the sense of the people might be taken. The lords and the commons represented all the estates of the people; and with them it rested as a right, a constitutional and legal right, to provide for the deficiency of the third branch of the legislature; whenever a deficiency arose, they were the legal organs of speech for the people, and such he conceived to be the true doctrine of the constitution. He would not merely state these as his own opinions, but he would state them to be the opinions of those who had framed the revolution; who had not, as was the case at present, to provide for the interruption of regal powers while the throne was full, but to supply the deficiency of the third branch of the legislature, which was wholly vacant. Whether the third branch, however, of the legislature was entirely gone, or suffered only a suspension, it was equally necessary to resort to the organs of the people's speech. Agreeably to the laws of the land, to the records of parliament, to precedent, and to the constitution, the political capacity of the king, except in cases of actual forfeiture of the crown, was always considered as legally entire; and, during

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that legal capacity, according to the spirit of the constitution, if any natural incapacity should cause a suspension of the royal authority, it then rested with the remaining branches of the legislature to supply such defect. As the power of filling the throne, rested with the people at the revolution, and was exercised by parliament; so, on the same principles of liberty, on the same rights of parliament, did the providing for the present deficiency rest with the people, that is, with the lords and commons, their rightful representatives.

Mr. Pitt noticed, that on a former day, Mr. Fox had represented his majesty's situation as a civil death. Could the committee, he asked, consider the king's indisposition, which was not an uncommon case, and generally but temporary, as a civil death? He was sure they would not. If such a thing existed at the present moment as a civil death, his royal highness the prince of Wales would immediately ascend the throne, with the full exercise of the royal prerogatives, and not as a regent; for a civil death, like a natural death, was permanent. He stated from Mr. justice Blackstone, that there were but two cases, in which a man could undergo a civil death: the first was, his being banished from the realm by process of law; the second, by his having entered into religion, and becoming a monk professed, thereby taking himself for ever from all secular concerns. The first was an act, which cut off a criminal from society within the realm; and the other was, the voluntary act of retiring from the world. Would any man pretend, that either of these cases was analogous to the visitation of Heaven, to a stroke inflicted by the hand of Providence, which might, and probably would, prove temporary? Could

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it be said, that they ought to be adduced as acts to prevent his majesty in future from exercising those powers, which he had never forfeited, which he had never renounced?

Mr. Pitt also noticed several arguments, which had been used in favor of the prince's right to the regency, upon the ground of his having certain rights, which did not belong to any other person: That the prince of Wales enjoyed rights peculiar to himself, Mr. Pitt admitted; but he contended, that the existence of those rights was perfectly irrelevant to the present question, and no more proved, that his royal highness had a right to the regency, than a man's having an estate in Middlesex, proved that he had another in Yorkshire, and a third in Cornwall.

"In thus controverting the right of the prince of Wales to the regency, and expressing my sentiments, without reserve, upon this delicate point, I trust," said Mr. Pitt, "that I shall not be represented to the prince, as undutiful or disrespectful to his royal highness; but were I even certain that I should be so represented and considered, I feel that within, which prompts me to do what I know to be right; and I will sacrifice every personal consideration to my zeal and attachment to my sovereign, and my duty to the public."

Having thus endeavored to establish the right of the two houses of parliament to provide the means of supplying the defect arising from the king's incapacity to exercise the sovereign authority, Mr. Pitt, towards the conclusion of his speech, expressed a hope, that the house would feel a conviction, that if they had a right, they had also a duty; a duty, which neither their allegiance, nor their affection to their sovereign, would allow them to dispense with. It was absolutely necessary, not

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only unequivocally to declare their right, so that it might remain ascertained beyond the possibility of doubt hereafter, and become secured to posterity, but to proceed, without delay, to take preparatory measures for the exercise of that right; and this would be the subject of his third resolution. Upon no account did it seem probable, that their decision could either cause a dissension between the two houses of parliament, or produce mischievous consequences of any kind whatever: On the contrary, if the right were not declared, it would appear, that the two houses had made a compromise unbecoming themselves, and had acted upon personal motives, rather than a due regard to the true interests of their country.

Mr. Pitt then moved the three following resolutions;—

"1. That it is the opinion of this committee, that his majesty is prevented, by his present indisposition, from coming to his parliament, and from attending to public business, and that the personal exercise of the royal authority is thereby, for the present interrupted.

"2. That it is the opinion of this committee, that it is the right and duty of the lords spiritual and temporal, and commons of Great Britain, now assembled, and lawfully, fully, and freely representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from his majesty's said indisposition, in such manner as the exigency of the case may appear to require.

"3. That for this purpose, and for maintaining entire the constitutional authority of the king, it is necessary, that the said lords, spiritual and temporal, and commons, of Great

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Britain, should determine on the means, whereby the royal assent may be given in parliament, to such bills as may be passed by the two houses of parliament, respecting the exercise of the powers and authorities of the crown, in the name and on the behalf of the king, during the continuance of his majesty's present indisposition."

The first resolution passed unanimously, without any observation; but upon the second there was a long debate, in which Mr. Fox objected to the precedents, as not applicable to the present case, and as drawn from "dark and barbarous periods of our history," when civil liberty was not clearly defined and understood, when the rights of the different branches of the legislature were not ascertained, and when the free spirit of our constitution was not felt and acknowledged. Alluding to the assertion, that the prince of Wales, being of full age and capacity, had no more right to exercise the royal authority during his majesty's incapacity, than any other individual subject, he said, that if Mr. Pitt were to propose that question to the house, high as was his character, and great as was his influence within those walls, he would not be supported by twenty members; that Mr. Pitt, finding his proposition generally reprobated, had subsequently come forward with a declaration, that though he would not admit the right of the prince of Wales to exercise the sovereign authority, during the incapacity of his father, yet he confessed, that on grounds of expediency, and as a matter of discretion, the person to hold the regency ought to be the prince of Wales, and no other. Mr. Fox contrasted the opposite opinions, which had been advanced respecting the right of the prince of Wales and the

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right of parliament, and asserted, that the former ought to be preferred to the latter, as being liable to far less inconvenience and danger: But why was the right of the prince to be discussed, which had neither been claimed, nor was intended to be claimed? Of this, no doubt could be entertained after the declaration, which had been graciously communicated from the highest authority, in another place. He owned himself indebted to the prince of Wales, because he had been pleased for several years to favor him with his confidence; but he assured the house, that the terms, upon which he lived with his royal highness, had no influence upon his public conduct.

Mr. Fox farther contended, that if Mr. Pitt's doctrine were admitted, the two houses might choose for a regent, a foreigner, a roman catholic, who, while he held the power of the third estate, might prevail on the other two branches of the legislature, to concur with him, in altering and setting aside the succession; and thus the house of Brunswick might be turned away, and put in the situation of the house of Stuart. The house shewed such evident marks of considering this supposition as extravagant, that Mr. Fox could not but notice it; and in his defence, he said, that the duke of York, when protector, had disinherited the prince of Wales, and the whole line of Lancaster. He then proceeded to state, that the making a law for the appointment of a regent, appeared to him, as far as it went, a conversion of the succession to the monarchy, from hereditary to elective: "when the king is in good health," said he, "the monarchy is hereditary; but when he is ill, and incapable of exercising the sovereign authority, it is elective." He argued upon the danger of allowing two of the three branches of the

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legislature to make laws, as radically changing the government, and of consequence, overturning the constitution: It was directly contrary to the 13th of Car. 2, which not only declared, that the two houses of parliament could not make laws, without the consent and concurrence of the king; but also declared, that whoever should presume to affirm the contrary, should be guilty of high treason. He ridiculed the idea of the political as well as the natural capacity of the king remaining whole and entire, although he was pronounced incapable of exercising the royal functions. The legal metaphysics, which distinguished between the crown and its functions, were to him unintelligible. He said, that if the two houses could make whom they pleased regent, they could appoint the regent for a day, a month, or a year; turning the monarchy into a republic: That Mr. Pitt, while he denied the right of the prince of Wales, confessed it would be a breach of duty to think of any other regent; and all this, for the paltry triumph of a vote over a political antagonist, and to insult a prince, whose favor he was conscious he did not deserve.

He declared, he was ready to admit, that the right honorable gentleman's administration had been, in some respects, entitled to praise. He was ready to say, what were the parts which most deserved commendation, and as willing to give them his applause, as any member in the house. What he alluded to was, the measures adopted to detach Holland from its connection with France. The whole management of that transaction, as well as its issue, was wise and vigorous, laudable and effectual; and he was happy to take every opportunity of delivering his sentiments concerning Mr. Pitt's ministerial

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conduct upon that occasion: of his other measures he certainly entertained a very different opinion. The right honorable gentleman, however, appeared to have been so long in possession of power, that he could not endure to part with it, and was at least resolved to destroy what he could no longer retain. He had experienced the full favor of the crown, and enjoyed the advantage of exerting all its prerogatives; and finding the operation of the whole not too much for the successful carrying on of the government, he had determined to cripple his successors, and deprive them of those advantages which he had possessed, and thus circumscribe their power to serve their country, as if he dreaded they should shade his fame. Let the right honorable gentleman for a moment suppose, that the business of detaching Holland from France, or any contingency of equal importance, remained to be executed, he must know, that there would be no power in the country to seize the advantage, if the right honorable gentleman's principles were right*. With regard to the right honorable gentleman's motives, he knew not what they were; but if there was an ambitious man in that house, who designed to drive the empire into confusion, his conduct, he conceived, would have been exactly that, which the right honorable gentleman had pursued.

In reply, Mr. Pitt expressed his astonishment, that Mr. Fox had chosen, particularly in the latter part of his speech, to digress from the question of right, which was then before the

* If Mr. Fox had waited to hear his plan, he would not have made this observation, as it contained no restriction upon the power of the regent, with respect to treaties or alliances with foreign powers, or making peace or war.

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house, in order to enter upon the question of expediency; and that, not so much for the purpose of discussing that expediency, as to take an opportunity of making a personal attack upon him. The house would recollect, whether the manner, in which he (Mr. Pitt) had opened the debate, either provoked or justified this animosity. The right honorable gentleman had accused him of acting from a spirit of ambition, unable to bear the idea of parting from power, which he had so long enjoyed, and of a disposition, in consequence of not expecting the favor of the prince, which he was conscious he did not deserve, to envy and obstruct the credit of those, who were to be his successors. Whether to him belonged that character of mischievous ambition, which would sacrifice the principles of the constitution to the desire of power, he must leave the house and the country to determine: they would decide, whether in any part of his conduct, during this unfortunate crisis, any consideration, which affected his own personal situation, or any management for the sake of preserving power, appeared to have had the chief share in suggesting the measures which he had proposed.

As to his being conscious, that he did not deserve the favor of the prince, he could only say, that he knew but one way, in which he or any man could deserve it—by having uniformly endeavored, in a public situation, to do his duty to the king his father, and to the country at large. If, in thus endeavoring to deserve the confidence of the prince, it should appear, that he had in fact lost it, however painful and mortifying that circumstance might be to him, and from whatever cause it might proceed, he should indeed regret it, but he could boldly say,

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that it was impossible he should ever repent of the line of conduct he had adopted.

The right honorable gentleman had thought proper to announce himself and his friends to be the successors of the present administration. He did not know upon what authority that declaration was made; but he thought, that with a view to those questions of expediency, which the right honorable gentleman had introduced, both the house and the country were obliged to him, for this seasonable warning of what they would have to expect. The nation had already had some experience of that right honorable gentleman and his principles. It was well known to be the avowed system of him and his party, to endeavor, by the weight and extent of their political influence, to nominate the ministers of the crown. It could not be denied, that they maintained, as a fundamental maxim, that the minister ought at all times to be so nominated. He would therefore speak plainly: If persons, who professed these principles, were likely to be advisers of the prince, in the exercise of the powers which were necessary to be given during the present unfortunate interval, it was the strongest additional reason, if any were wanting, for being careful to consider, what the extent of those powers ought to be. It could not but be supposed, that by such advisers power would be perverted to a purpose, which it was indeed impossible to imagine, that the prince of Wales could, if he were aware of it, ever endure for a moment; but to which, by artifice and misrepresentation, he might unintentionally be made accessary, and thus contribute to the creation of a permanent weight and influence in the hands of a party, which would be dangerous to the just

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rights of the crown, when the moment should arrive, so much wished, and perhaps so soon to be expected, of his majesty being able to resume the exercise of his own authority. The notice, therefore, which the right honorable gentleman, in his triumph, had condescended to give to the house, furnished the most irresistible reason for extreme caution, lest, in providing the means of carrying on the administration of public affairs during a short interval, they should sacrifice the permanent interests of the country in future, by laying the foundation of such measures as might for ever afterwards, during the continuance of his majesty's reign, obstruct the just and salutary exercise of the constitutional powers of government, in the hands of their rightful possessor, the sovereign, whom they all revered and loved.

Mr. Pitt added, that the right honorable gentleman had ventured to represent him as having declined maintaining his former assertion, that the prince of Wales had no more right to the regency than any other subject in the country; and he had also intimated, that he (Mr. Pitt) had thus retracted, in consequence of believing, that not twenty persons would join in supporting that proposition. But it so happened, that he did not retract one single word of that assertion. Gentlemen might quarrel with the phrase, and misrepresent it; but he was in the recollection of the house, whether, when he first used the expression, he had not guarded it, as meaning to speak strictly of a claim of right, and not of any reasons of preference, on the ground of discretion or expediency. He was also in their recollection, whether the right he spoke of, was any other than the specific right in question, namely, the right to

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exercise the regal authority, under the present circumstances. He had maintained, that the prince had no such right. If the prince had not the right, he could not be said to have any more right than any other subject in the country. But was it any answer to the assertion, that as prince of Wales he had no right to the regency, to say, that he had other rights, different from the rest of the king's subjects, but which had nothing to do with the regency? Yet all the rights of the prince of Wales, which had been mentioned, were of that description.

With regard to the question, whether twenty persons did or did not agree in his denial of the right of the prince of Wales, he would put the whole on this issue, that if the prince of Wales had any such right, the resolution which he had moved, could not be true; and he considered every person, who differed from his assertion on that subject, as bound to vote against the present motion.

The right honorable gentleman, in discussing the question of right, chose also to remark, that the right of the two houses, and the right of the prince of Wales, were to be considered as rival rights, and that the only question was, in favor of which the arguments preponderated. He should be perfectly ready to meet the question on that issue, if it were the true one; for the right of the two houses was clearly supported by precedent and usage in every similar case; by express declarations of parliament; and by positive authority of law: yet the right of the prince of Wales was not even attempted to be supported on any of those grounds; but on pretended reasons of expediency, founded on imaginary and extravagant cases. In fact, this was not the fair issue of the argument. The right

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of the prince of Wales was not to be considered a rival right, to be argued on the same grounds as the other. It was a right, which could not exist, unless it were capable of being expressly and positively proved; whereas the right of parliament was that, which existed of course, unless some other right could be proved to exclude it. It was that, which, on the principles of this free constitution, must always exist in every case, where no positive provision had been made by law, and where the necessity of the case, and the safety of the country, called for their interposition. The absence of any other right was in itself enough to constitute the right of the two houses; and the bare admission that the right of the prince of Wales was not clearly and expressly proved, virtually operated as an admission of every point, which he wished to establish.

The manliness with which Mr. Pitt delivered his sentiments, and the force and eloquence with which he urged his arguments, were greatly admired, and prevailed over Mr. Fox's unauthorized assertion of the prince's right, and his artful declaration, that he was to be the regent's minister, unquestionably designed to influence the votes of members: lord North's motion, for the chairman's leaving the chair, was negatived by a majority of 268 to 204; and Mr. Pitt's second and third resolutions passed without a division.

Upon these resolutions being reported to the house, three days afterwards*, the first passed with scarcely any remark; but upon the second, there was again a long debate, which ended without a division With respect to the third, it is to

* Colonel Fitzpatrick requested that this delay might take place on account of Mr. Fox's illness; to which Mr. Pitt consented.

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be observed, that Mr. Pitt, having been called upon to explain what was meant by that resolution, had informed the house, that in case the resolutions he had moved should be agreed to, and also meet with the concurrence of the house of lords, it was his intention to propose, that the lord chancellor should be empowered, by the two houses, to put the great seal to a commission for opening the parliament in the usual form; and that, as soon as a bill should be passed by both houses, for providing for the exercise of the royal authority, under certain limitations, during his majesty's indisposition, another commission should be sealed, for giving to such act the royal assent. When, therefore, the third resolution was read, this mode was objected to, upon the ground of its being unnecessary and unconstitutional; and it was warmly contended, that as all were agreed the regency should be conferred upon the prince of Wales, it would be more simple, and more conformable to what was done at the time of the revolution, to present an address to his royal highness, requesting him to take upon himself the administration of the civil and military government of the kingdom, during the incapacity of his majesty. An amendment to that effect, was moved by Mr. Dempster; and the debate being deferred to the next day, it was then negatived by a majority of 251 to 178, and the original motion was passed.

The three resolutions were, at a conference, delivered to the house of lords, who agreed to them; after two long debates, and one division, in which the numbers were 99 and 66.

These proceedings of the two houses were viewed with great interest by the people at large; and addresses were presented

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to Mr. Pitt, from a considerable number of counties and towns, in decided approbation of his conduct, and of the principles, to which, upon his proposal, parliament had given its sanction. The assertion of the prince of Wales's right to exercise all the powers of royalty, while his father was upon the throne, and laboring under only a temporary incapacity, had excited serious alarm in every part of the country; and from a warm and generous feeling of loyalty and affection to the king, and a rooted distrust of those, who were likely to be the ministers of the regent, a most sincere anxiety prevailed, that in providing for the present exigency, no unnecessary power should be given; and that especial care should be taken to enable his majesty, whenever the happy moment of his recovery should arrive, to re-assume his authority, without embarrassment or difficulty.

The two remaining branches of the legislature having established the principles, upon which they were to act in the present singular state of public affairs, it became incumbent upon his majesty's ministers to propose to parliament, for their sanction and confirmation, a plan for carrying on the executive government during his majesty's indisposition; and in conformity to his original design, Mr. Pitt previously submitted to the prince of Wales, the heads of the plan agreed upon by the cabinet, in the following letter, dated December 30:

" Sir,

" The proceedings in parliament being now brought to a point, which will render it necessary to propose to the house of commons, the particular measures to be taken for supplying

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the defect of the personal exercise of the royal authority, during the present interval, and your royal highness having some time since signified your pleasure, that any communication on this subject should be in writing, I take the liberty of respectfully entreating your royal highness's permission to submit to your consideration the outlines of the plan, which his majesty's confidential servants humbly conceive (according to the best judgment which they are able to form) to be proper to be proposed in the present circumstances.

" It is their humble opinion, that your royal highness should be empowered to exercise the royal authority, in the name and on the behalf of his majesty, during his majesty's illness, and to do all acts which might legally be done by his majesty; with provisions, nevertheless, that the care of his majesty's royal person, and the management of his majesty's household, and the direction and appointment of the officers and servants therein, should be in the queen, under such regulations as may be thought necessary.—That the power to be exercised by your royal highness, should not extend to the granting the real or personal property of the king, (except as far as relates to the renewal of leases,) to the granting any office in reversion, or to the granting, for any other term than during his majesty's pleasure, any pension, or any office whatever, except such as must by law be granted for life, or during good behaviour; nor to the granting any rank or dignity of the peerage of this realm to any person, except his majesty's issue who shall have attained the age of 21 years.

" These are the chief points, which have occurred to his majesty's servants.—I beg leave to add, that their ideas are formed on the supposition, that his majesty's illness is only

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temporary, and may be of no long duration.—It may be difficult to fix beforehand, the precise period for which these provisions ought to last; but if, unfortunately, his majesty's recovery should be protracted to a more distant period, than there is reason at present to imagine, it will be open hereafter to the wisdom of parliament to re-consider these provisions, whenever the circumstances appear to call for it.

"If your royal highness should be pleased to require any farther explanation on the subject, and should condescend to signify your orders, that I should have the honor of attending your royal highness for that purpose, or to intimate any other mode in which your royal highness may wish to receive such explanation, I shall respectfully wait your royal highness's commands.

"I have the honour to be,
with the utmost deference and submission,
Sir,
your royal highness's
most dutiful and devoted servant,
W. PITT."

"Downing-street, Tuesday night,
December 30th, 1788."

To this letter, the prince, on the 2nd of January, returned the following answer, which his royal highness delivered to the lord chancellor, to be communicated to Mr. Pitt:

"THE prince of Wales learns from Mr. Pitt's letter, that the proceedings in parliament are now in a train, which enables Mr. Pitt, according to the intimation in his former letter, to

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communicate to the prince the outlines of the plan, which his majesty's confidential servants conceive to be proper to be proposed, in the present circumstances.

"Concerning the steps already taken by Mr. Pitt, the prince is silent.—Nothing done by the two houses of parliament can be a proper subject of his animadversion; but when, previously to any discussion in parliament, the outlines of a scheme of government are sent for his consideration, in which it is proposed, that he shall be personally and principally concerned, and by which the royal authority, and the public welfare may be deeply affected, the prince would be unjustifiable, were he to withhold an explicit declaration of his sentiments.—His silence might be construed into a previous approbation of a plan, the accomplishment of which, every motive of duty to his father and sovereign, as well as of regard for the public interest, obliges him to consider as injurious to both.

"In the state of deep distress, in which the prince and the whole royal family were involved, by the heavy calamity which has fallen upon the king, and at a moment when government, deprived of its chief energy and support, seemed peculiarly to need the cordial and united aid of all descriptions of good subjects, it was not expected by the prince, that a plan should be offered to his consideration, by which government was to be rendered difficult, if not impracticable, in the hands of any person intended to represent the king's authority, much less in the hands of his eldest son—the heir apparent of his kingdoms, and the person most bound to the maintenance of his majesty's just prerogatives and authority, as well as most interested in the happiness, the prosperity, and the glory of the people.

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"The prince forbears to remark on the several parts of the sketch of the plan laid before him; he apprehends it must have been formed with sufficient deliberation, to preclude the probability of any argument of his producing an alteration of sentiment in the projectors of it. But he trusts, with confidence, to the wisdom and justice of parliament, when the whole of this subject, and the circumstances connected with it, shall come under their deliberation.

"He observes, therefore, only generally on the heads communicated by Mr. Pitt—and it is with deep regret the prince makes the observation, that he sees in the contents of that paper, a project for producing weakness, disorder, and insecurity, in every branch of the administration of affairs,—a project for dividing the royal family from each other—for separating the court from the state; and therefore, by disjoining government from its natural and accustomed support, a scheme for disconnecting the authority to command service, from the power of animating it by reward; and for allotting to the prince all the invidious duties of government, without the means of softening them to the public, by any one act of grace, favor, or benignity.

"The prince's feelings on contemplating this plan, are also rendered still more painful to him, by observing, that it is not founded on any general principle, but is calculated to infuse jealousies and suspicions (wholly groundless, he trusts) in that quarter, whose confidence it will ever be the first pride of his life to merit and obtain.

"With regard to the motive and object of the limitations and restrictions proposed, the prince can have but little to

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observe.—No light or information is offered him by his majesty's ministers, on these points.—They have informed him what the powers are, which they mean to refuse him, not why they are withheld.

"The prince, however, holding as he does, that it is an undoubted and fundamental principle of this constitution, that the powers and prerogatives of the crown are vested there, as a trust for the benefit of the people, and that they are sacred only as they are necessary to the preservation of that poise and balance of the constitution, which experience has proved to be the true security of the liberty of the subject—must be allowed to observe, that the plea of public utility ought to be strong, manifest, and urgent, which calls for the extinction or suspension of any one of those essential rights in the supreme power, or its representative; or which can justify the prince in consenting, that in his person an experiment shall be made, to ascertain, with how small a portion of kingly power the executive government of this country may be carried on.

"The prince has only to add, that if security for his majesty's re-possessing his rightful government, whenever it shall please Providence, in bounty to the country, to remove the calamity with which he is afflicted, be any part of the object of this plan, the prince has only to be convinced, that any measure is necessary, or even conducive to that end, to be the first to urge it as the preliminary and paramount consideration of any settlement in which he would consent to share.

"If attention to what is presumed might be his majesty's feelings and wishes, on the happy day of his recovery, be the object, it is with the truest sincerity the prince expresses his

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firm conviction, that no event would be more repugnant to the feelings of his royal father, than the knowledge, that the government of his son and representative had exhibited the sovereign power of the realm in a state of degradation, of curtailed authority, and diminished energy,—a state, hurtful in practice to the prosperity and good government of his people, and injurious in its precedent to the security of the monarch, and the rights of his family.—Upon that part of the plan, which regards the king's real and personal property, the prince feels himself compelled to remark, that it was not necessary for Mr. Pitt, nor proper, to suggest to the prince, the restraint he proposes against the prince's granting away the king's real and personal property.—The prince does not conceive, that, during the king's life, he is, by law, entitled to make any such grant; and he is sure, that he has never shewn the smallest inclination to possess any such power.—But it remains with Mr. Pitt to consider the eventual interests of the royal family, and to provide a proper and natural security against the mismanagement of them by others.

"The prince has discharged an indispensable duty, in thus giving his free opinion on the plan submitted to his consideration.

"His conviction of the evils, which may arise to the king's interests, to the peace and happiness of the royal family, and to the safety and welfare of the nation, from the government of the country remaining longer in its present maimed and debilitated state, outweighs, in the prince's mind, every other consideration, and will determine him to undertake the painful trust imposed upon him, by the present melancholy necessity

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(which of all the king's subjects he deplores the most,) in full confidence, that the affection and loyalty to the king, the experienced attachment to the house of Brunswick, and the generosity which has always distinguished the nation, will carry him through the many difficulties inseparable from this most critical situation, with comfort to himself, with honor to the king, and with advantage to the public *.

" (Signed) GEORGE P."

" Carlton-house, Jan. 2, 1789."

To this communication the following reply was drawn up by Mr. Pitt, and sent to the prince of Wales, on the 5th of January:

" The king's servants have received the paper which your royal highness was pleased to communicate to them, through the lord chancellor.

" They beg leave respectfully to assure your royal highness, that if the plan, which they took the liberty of submitting to your royal highness, had appeared to them in the light in which they have the mortification to observe, that it is considered by your royal highness, it would never have occurred to them to propose it. The king's servants, in forming this plan for the intermediate settlement, which the present temporary calamity requires, have had constantly in view that object, of which your royal highness expresses the fullest approbation, the restoring to the king, whenever his majesty's health is sufficiently

* Mr. Sheridan was supposed to have been materially concerned in drawing up this admirable composition.

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recovered, the personal exercise of that government, which in right and in law still resides with his majesty; and also the providing in a competent manner, for the intermediate preservation of that dignity, which ought not to be separated from the royal person.

"In this view, while they considered the temporary exercise of the royal authority, on his majesty's behalf, and during his majesty's illness, as essentially different from the actual possession of the crown, they have at the same time been anxious to extend that authority to every article, which they could conceive essential or necessary for the temporary administration of the king's power.

"They have deeply to regret, that a plan, formed to the best of their judgment for these purposes, should have appeared liable to the observations contained in the paper, which your royal highness has been pleased to communicate. But, as on the fullest deliberation, they cannot but consider the principles of that plan as resulting from their indispensable duty to their sovereign, and to the public; and as there is no part of the subject, on which your royal highness has intimated your pleasure to receive any particular explanation, they trust they shall not be thought wanting in the respect which they owe, and which they must always be anxious to testify, to your royal highness, if they still feel themselves bound to adhere to those principles, in the propositions to be offered to the consideration of parliament."

The business of the house of commons experienced a short interruption, by the death of the speaker, (Mr. Cornwall) on

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the 2d of January. On the 5th, Mr. W. Grenville, who was at this time joint paymaster of the forces, was proposed to be the new speaker, by the friends of administration, and sir Gilbert Elliott, by the opposite party. The former was chosen by a majority of 215 to 144; immediately after which, Mr. Pitt gave notice, that he should, on the morrow, open to the house the restrictions, which he considered as necessary to be annexed to the regency.

When, however, the house met on the following day, Mr. Loveden observed, that as the limitations of the regency ought to have reference to the cause which created the necessity for their introduction, he conceived, that the house, before they proceeded to discuss that subject, should know precisely, what was the present state of his majesty's health; whether any alteration had taken place since the physicians were examined; and whether there was greater or less probability of his recovery. Reports, he said, of a very contradictory nature, were in circulation, under the pretended authority of different physicians; and it had even been asserted, that the opinions of the physicians were not faithfully communicated to the public, in the bulletins signed by them. Under these circumstances, he thought it the duty of the house to ascertain the truth, that they might adapt the restrictions to the expectation of a speedy, or of a distant recovery; and therefore he was desirous of offering a motion, to the following effect:—"That a considerable space of time having elapsed, since the examination of the physicians, with respect to his majesty's health, it is necessary to know, whether any alteration or amendment has taken place; and that, therefore, the physicians be called upon to inform the

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house, if the symptoms are such, as give reason to hope for the king's speedy recovery."

The members of opposition eagerly calling upon Mr. Loveden to make his motion, Mr. Pitt declared his opinion, that there was already sufficient information before the house; and, as it was of great importance that government should be in a situation to act with energy and effect as speedily as possible, it appeared to him, that another examination of the physicians would be an unnecessary and improper delay.

On the other hand, Mr. Fox contended, that the house ought to have a precise knowledge of the state of his majesty's health, immediately before their deliberations, as to what might or might not be fit restrictions to impose on the regent. He observed, that it was now four weeks since the physicians had been examined; and if all farther inquiry were refused, the inference must be, that his majesty continued in the same state, although it was not only publicly reported, that symptoms of convalescence had appeared in his majesty, but the lord chancellor had declared in the house of lords, that he had grounds to hope soon to hear of his majesty's recovery. He adverted to the possible case of certain persons spreading rumors and reports, merely with a view to delude the people with false hopes, and to induce members of parliament to give their votes, under an ill-founded presumption of his majesty's recovery, of which there might not in truth exist the smallest probability. Mr. Burke also inferred, from the reluctance to allow any farther inquiry, that no improvement had really taken place in his majesty's health; and asserted, upon the authority of Dr. Warren, that the continuance of his majesty's

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disorder for four weeks, without any alteration, rendered a recovery less probable.

Mr. Pitt, who, from a desire of proceeding with all proper expedition, had at first objected to Mr. Loveden's proposal, now perceived, that, in consequence of the inferences and insinuations he had just heard, which he knew to be unfounded, it would be wise to consent to another examination of the physicians; and therefore he himself moved, "That a committee be appointed to examine the physicians, who have attended his majesty during his illness, touching the present state of his majesty's health, and to report such examination forthwith to the house." Mr. Sheridan proposed, that all the words after "appointed" should be omitted, in order to substitute the following words, "to inquire into the nature and present state of his majesty's malady, and into the probability of his speedy recovery; and that they have power to send for such persons and papers, as they think may give them sufficient information concerning the same." The object of this amendment was, not to confine the examination to the physicians, but to authorize the committee to examine the king's attendants, and even the queen and any of the royal family, and likewise to demand the production of any papers or letters written by them upon the subject of the king's illness. Such a power would have been so highly indecorous, without tending to any one good purpose, that it cannot but excite surprise that the amendment should have been supported by 141 members: 221, however, voted against it. The original motion then passed; and a committee was appointed, consisting nearly of

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the same persons as the former committee. Mr. Pitt was also chairman of this committee.

The examination of the physicians occupied five days, during which, many irrelevant and improper questions were asked by some of the opposition members of the committee, and produced frequent and unpleasant altercations. The report, containing 400 folio pages, was presented to the house, on the 13th; and printed copies of it having been delivered on the 15th, Mr. Pitt introduced the subject of the restrictions, on the 16th.

He began by expressing his concern, that the melancholy situation of his majesty, which rendered him incapable of exercising the royal authority, called upon the two houses of parliament to provide the means of supplying the deficiency in the executive government. In adverting to the report, which had been recently presented to the house, he observed, that though the physicians by no means agreed upon some points, they were unanimous in thinking, contrary to what had been asserted in that house, that the lapse of a month had not rendered his majesty's recovery less probable; and he added, that those, who were most conversant with the disorder, were most sanguine in their expectations. One of them in particular, Dr. Willis, whose experience was by far the greatest, and who was the only physician in constant attendance upon his majesty, was of opinion, that since the former examination, all the symptoms were become more favorable, and that the disorder had already abated. He felt himself, therefore, justified in stating, that what the house had to provide for, was, no more

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than an interval, and he flattered himself, that it would prove a short interval. If, however, his majesty's illness should unfortunately be protracted, they might leave to parliament to do what was at present clearly unnecessary, to consider of a more permanent plan.

Great attempts having been made, in the late examination of the physicians, to depreciate the testimony and character of Dr. Willis, Mr. Pitt felt it, he said, but common justice to commend the firmness, integrity, and good sense of that gentleman, which were evinced under a severe cross-examination, calculated to puzzle simplicity, and leave the coolness, which ought always to accompany the delivery of evidence, too unguarded. He mentioned him as standing in the highest estimation in the country where he lived, and as respected and loved for the happiness he had been the means of giving to numerous families, who were bound to bless him for the good effects of his care and skill. After alluding to the political intrigues of the times, and the party spirit, which had given rise to reports and bias to opinions, he noticed the marked disagreement between Dr. Willis and Dr. Warren; he admitted that the professional character of the latter was high, but declared, that if he wished to draw a true conclusion of his majesty's state of health, and of the probability of his recovery, he should rely upon the judgment of Dr. Willis, rather than of any other physician.

It was the main duty of parliament, he said, at the present moment, to establish a government in the country equal to its safety, and to the dispatch of public business In making a provision of this kind, they were to take care, that the measures

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adopted did not go beyond the necessity of the case, and that the powers were trusted to proper hands; but above all things, they were to recollect, that they were not placing a king upon the throne. They were to remember, that the throne was full, and that no right any where existed to exercise the royal authority, unless conferred by the two houses of parliament; and that it was incumbent upon them, to guard against any embarrassment in the resumption of the regal authority, whenever God, in his providence, should permit the rightful holder to exercise it. The proposal, therefore, which he should make, and which would be the subject of his first resolution, would be, to invest his royal highness the prince of Wales with the regal authority, to be exercised, in the name and on the behalf of his majesty, under such limitations and restrictions only, as should be specified. The principle was not new, although the precise circumstances of the case, to which it was to be applied, happened to be unprecedented. No man would say, that the same power, which the principal enjoyed, ought to be given to the temporary delegate. He referred to all the precedents, both antient and modern, which the history of the country afforded, and shewed, that in no one instance had all the royal prerogatives been delegated to one person; and upon these authorities he thought it right, that the present regent should not be entrusted with any powers, which were not requisite for carrying on, during a short period, the government of the country with energy and effect.

Mr. Pitt then proceeded to state the limitations; the first of which was, to restrain the regent from granting peerages, except to his majesty's sons, being twenty-one years of age.

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This restriction he thought necessary, as the regent might otherwise create such a number of peers, as would considerably embarrass his majesty in carrying on the government of the country, when he should be restored to health. The object in investing the crown with the power of creating peers, was, to enable the sovereign to distribute rewards to persons of eminent merit, and to give him the means of adding to the number of one of the branches of the legislature. This was a prerogative, which belonged personally to the king; and no serious inconvenience could arise from depriving the regent of it, for a short time. If his majesty recovered, as they all hoped and had reason to expect he would, the power of creating peers might be exercised by him; but if, unfortunately, his majesty should grow worse, and be pronounced not likely to recover for a long time, parliament might take off the restriction, and vest the regent with a power, which, though not at present, he was ready to admit, might in time become necessary to the carrying on of a powerful government.

The second restriction was, to prevent the regent from granting any reversion, or any office, or pension, for any other term than during his majesty's pleasure, except such offices as were by law required to be granted for life, or during good behavior. This restriction resting upon the same principle as the former, Mr. Pitt did not think it necessary to enter into any farther explanation of it.

The third restriction was, to prevent the regent from exercising any power over the real or personal property of the king. Mr. Pitt observed, that he scarcely thought a resolution upon that subject necessary, but as they were acting upon

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parliamentary principles, it was his duty to submit it to the committee.

Mr. Pitt added, that he meant these three restrictions, (the only ones he intended to propose,) to be the subjects of as many separate resolutions; and having informed the committee, that he should defer the consideration of the care of the king's person, which was the only remaining topic, to another day, he moved the first resolution, in the following words:

"That for the purpose of providing for the exercise of the royal authority, during the continuance of his majesty's illness, in such manner, and to such extent, as the present circumstances, and the urgent concerns of the nation, appear to require, it is expedient, that his royal highness the prince of Wales, being resident within the realm, shall be empowered to exercise and administer the royal authority, according to the laws and constitution of Great Britain, in the name and on the behalf of his majesty, and under the style and title of regent of the kingdom, and to use, execute and perform, in the name and on the behalf of his majesty, all authorities, prerogatives, acts of government, and administration of the same, which belong to the king of this realm to use, execute, and perform, according to the laws thereof, subject to such limitations and exceptions as shall be provided."

Mr. Powys, after condemning the whole of Mr. Pitt's system as a monstrous fabric, tending to mutilate and dismember the constitutional authority of the crown, and asserting, that the prince of Wales ought to be invested with every power and prerogative of royalty, without any exception or restraint, moved as an amendment, to omit the whole of the resolution

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after the word " illness," and to substitute the following words, " and preserving the constitution of Great Britain undisturbed, and the dignity and lustre of the crown unimpaired, his royal highness the prince of Wales be appointed, during the present indisposition of his majesty, and no longer, in the name of the king and in his stead, to exercise and administer, according to the laws and constitution of Great Britain, the regal power of government, under the style and title of regent of the kingdom; and to use, execute, and perform all prerogatives, authorities, and acts of government, which might have been lawfully used, executed, and performed, by the regent and council of regency, constituted and appointed by an act of the 5th of his present majesty, cap. 27."

After a long debate, in which the speaker made a very comprehensive and excellent speech, in support of every part of Mr. Pitt's plan, the committee divided upon the amendment proposed by Mr. Powys, which was negatived by a majority of 227 to 154; and the original resolution passed.

The second resolution was then moved, which was as follows: "That the power so to be given to his royal highness the prince of Wales, shall not extend to the granting of any rank or dignity of the peerage of the realm to any person whatever, except to his majesty's royal issue, who shall have attained the full age of 21 years." This resolution was carried by a majority of 216 to 159.

The following were the third and fourth resolutions:

" That the said powers shall not extend to the granting of any office whatever in reversion, or to the granting of any office, salary, or pension, for any other term than during his

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majesty's pleasure, except such offices as are by law required to be granted for life, or during good behavior."

"That the said powers shall not extend to the granting of any part of his majesty's real or personal estate, except as far as relates to the renewal of leases."

These two resolutions passed without any division, and the house adjourned.

On Monday the 19th, Mr. Pitt opened the fifth and last resolution, which related to the care of the king's person: he said, that all men would be unanimous in agreeing, that the person of his majesty, during his illness, should be placed under the guardianship of the queen, whose virtues and amiable character were universally known, from a residence of nearly 28 years in this kingdom; and to enable her majesty effectually to discharge this important trust, and at the same time to preserve the dignity of the king, it was his intention to propose, that the whole of his majesty's household should be continued, and put under the authority of the queen, with full power to dismiss and appoint, as she shall think proper. Many officers of the household were in actual attendance upon the king; and it seemed incongruous in the highest degree, and might be productive of mischievous consequences, that the queen should have the care of the person of the king, and that those who attended upon his majesty, should be under the control of the regent. The offices of master of the horse, lord steward, and lord chamberlain, could not be abolished or suspended, without entirely new modelling the household, which no one could wish, while there were such well-founded hopes of his majesty's speedy restoration to health. The

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lords of the bedchamber might not indeed be thought necessary, under present circumstances; but surely a generous and liberal nation would not refuse to support the expence, during his majesty's illness, of those officers, who formed a part of his royal state, and whose dismissal must give pain to his majesty, upon his recovery. It seemed to be but a just attention to his majesty, and a due regard to his feelings, that when he awoke from his present trance, he should still find those in his service, whom he had chosen to preside over the different departments in his family, and to be employed about his royal person: and this was equally a reason against the abolition of the household, or placing it under the authority of the regent.

It had been objected, Mr. Pitt said, that the political influence, which would be derived from this patronage, being vested in the hands of the queen, might be perverted to factious purposes. That all power was subject to abuse, was a proposition, which could not be controverted. But was it in any degree probable, was it even decent to suppose, that the respectable personage in question, would become the instrument of any factious opposition, even if such an opposition should be formed, to the government of her son? He asked, whether this objection had been urged against the establishments provided for other branches of the royal family, the influence of which was certainly as likely to be exerted against administration? Surely that would not be denied to the king, which had been granted to his sons. But though he thought it highly disrespectful and indecent to take advantage of his majesty's temporary absence of mind, to alter his household, and was convinced, that no serious inconvenience would

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arise from suffering it to remain under the direction of the queen, yet he admitted, that the regent ought to have a retinue adequate to the importance and high rank of his station; for which purpose, he meant, on a future occasion, to submit a proposition to the house; and this additional patronage would be some compensation for the loss of the appointment to the offices of his majesty's household. He proposed, that a council should be named, to assist the queen with their advice, whenever she might require it, but without any power of control; and that they, or some other persons, should be appointed to manage the real and personal estate of the king, with a restriction, that they should not alienate or dispose of any part of it, except by lease.

After this explanation, he moved the following resolution: "That the care of his majesty's royal person, during the continuance of his majesty's illness, should be committed to the queen's most excellent majesty, and that her majesty should have power to remove from, and to nominate and appoint such persons, as she shall think proper, to the several offices in his majesty's household, and to dispose, order, and manage, all other matters and things relating to the care of his majesty's royal person, during the time aforesaid; and that for the better enabling her majesty to discharge this important trust, it is also expedient, that a council should be appointed, to advise and assist her majesty in the several matters aforesaid; and with power, from time to time, as they may see cause, to examine upon oath, the physicians and others attending his majesty's person, touching the state of his majesty's health, and all matters relative thereto.

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In the debate which followed, Mr. Bouverie moved, that the second clause in the resolution, authorizing the queen to remove or continue the king's household establishment, should be omitted: but this motion was rejected by a majority of 229 to 165; and a motion of lord North, to add the words "for a limited time," was negatived by a majority of 220 to 164: The resolution passed in its original form.

These five resolutions were communicated to the house of lords, at a conference on the 20th, and their concurrence to them requested.

The house of commons was informed, on the 26th, that the house of lords had agreed to the resolutions; upon which Mr. Pitt observed, that the next step would be to lay the resolutions before the prince of Wales, that parliament might know authentically, whether his royal highness would be willing to accept the regency, under the proposed regulations; the correspondence, which had already passed between his royal highness and himself, upon this subject, being of a private nature, and such as the house could not act upon; and, therefore, he gave notice, that he should make a motion for that purpose, on the following day.

On that day, the five resolutions were read; and Mr. Pitt, after observing, that the proposal which he was about to submit to the house, appeared to him as a matter of course flowing from the steps already taken, moved,

"That a committee be appointed to attend his royal highness the prince of Wales, with the said resolutions, which have been agreed to by the lords and commons, for the purpose of supplying the defect of the personal exercise of the royal

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authority, during his majesty's illness, by empowering his royal highness to exercise such authority, in the name and on the behalf of his majesty, subject to the limitations and restrictions, which the circumstances of the case appear, at present, to require; and that the committee do express the hopes, which the commons entertain, that his royal highness, from his regard to the interests of his majesty and the nation, will be ready to undertake the weighty and important trust, proposed to be invested in his royal highness, as soon as an act of parliament shall have been passed, for carrying the said resolutions into effect."

In the course of the debate which followed, Mr. Grey accused Mr. Pitt, in general terms, of having acted, throughout the business of the regency, with a manifest want of attention and respect to the prince of Wales. Mr. Pitt denied the charge; and said, that he had been always studious to shew every mark of exterior respect due to the sovereign, to the prince of Wales, and to every branch of the royal family, The truest respect he could pay to them, was, by cultivating the interests of that nation, which the ancestors of the present royal family were called upon to govern; and by watching over the safety of that constitution, in the protection of which the prince of Wales would one day be more deeply interested. He called upon Mr. Grey to state distinctly, to what he alluded, that he might have an opportunity of vindicating himself.

Mr. Grey, in reply, stated, that in the first place, Mr. Pitt shewed great want of respect and attention to the prince of Wales, when the privy council was summoned to examine his majesty's physicians; his royal highness having received only

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the ordinary summons sent to the other members of the council. The next want of respect and attention was, in Mr. Pitt's not having submitted the whole of his intended plan to the prince, before any of the proceedings in parliament took place, and, indeed, previously to its public statement in that house. A third instance he should mention, was chiefly grounded on public report, and that was, the manner in which the proposed restrictions were communicated to the prince.

Mr. Pitt, in allusion to the reports, which had been some time in circulation, of his having behaved towards the prince of Wales with disrespect, thanked Mr. Grey, for stating the charges so fairly and explicitly, and affording him an opportunity, which he could not otherwise have had, of meeting them in the face of that house, and of the public; the only way in which he could have noticed them, consistently with what was due to himself and to the country. The first charge was, a failure of respect in the manner of sending notice of the meeting of the privy council to the prince of Wales, which he might easily have gotten rid of, by saying, that if it was proved an error, it was not his error, but that of the lord president of the council *. He disdained, however, to avoid taking his share of the blame, which might be thought imputable to any part of the conduct of that venerable and respectable peer, with whom it was his pride and happiness to act, and with

* This could not but be known to Mr. Grey: but the fact was, that Mr. Pitt was understood to be so much the active and directing member of administration, that he was considered responsible for every act of every person, in every department; and this not only at the present moment, but during the whole of his administration.

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whom he lived in habits of the utmost cordiality and confidence. The honorable gentleman, he must take the liberty of asserting, had been grossly misinformed in point of fact. So far from the event having passed as the honorable gentleman had related, his royal highness received a special letter written by the lord president of the council, stating the subject to be submitted to the privy council: his royal highness had therefore been summoned in a manner the most respectful, and totally different from that in which any other member of the privy council had been summoned, excepting only the other princes of the blood.

The second charge seemed to imply, that his majesty's ministers ought previously to have consulted the prince of Wales, upon the measures which they were to take, in the difficulty wherein they found themselves involved, in the execution of the trust reposed in them by the king. It was perfectly true, he acknowledged, that his majesty's ministers had not concluded it to be their duty, to receive orders from the prince of Wales, at a time when they were the servants of the crown, and his royal highness was in no political capacity; neither had his royal highness any authority to give his majesty's ministers a single order of any description whatsoever. They felt, that the responsibility for every step, which they took, rested upon themselves, and consequently, that they had a right to exercise their own discretion. With regard to his not having acquainted the prince of Wales with the whole of his plan, before he opened it in that house, he begged gentlemen to recollect what had passed, and he believed it would be granted, that, all the circumstances considered, it was

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a little hard, that it should be made a matter of charge against him of want of respect and attention to his royal highness. He had resolved, as soon as a plan should be adjusted, to communicate it to the prince, previously to his stating it to the house; but in the course of the debate, when the question of right was preliminarily under discussion, gentlemen would remember, that he had been called upon, particularly by a right honorable gentleman (Mr. Fox,) to state the general outlines of his plan; the right honorable gentleman declaring expressly, that it was a matter of information equally desirable to himself and his friends, to know in what manner he (Mr. Pitt) meant to proceed. In the moment that he was thus publicly and unexpectedly called upon, it was impossible for him to suppress the outlines of the plan, without offence to the house; he was under the necessity of giving them, and they were communicated to the prince, according to his commands, soon after the debate. It had been his wish, he said, not to mention any part of his plan, till after the question of right was discussed; because, as the question of right involved in it considerations, the decision upon which might supersede the necessity and propriety of that house deliberating at all upon any farther steps to be taken, it seemed proper to have that question settled prior to any other proceeding.

As to the third and last instance, of disrespect, of which he had been accused, he understood, that the report, relative to the manner in which the proposed restrictions had been communicated to the prince of Wales, had gone to such an extravagant length, that it had been believed for some time, both in town and in the country, not only that he had sent

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a message to his royal highness by a livery servant, but that the message had been verbal. The public will, however, now learn with certainty, that the communication had been made respectfully in writing; and that the letter had been sent, not by a livery servant, but by a messenger dispatched for the especial purpose. He had repeatedly made communications to his royal highness before, precisely in the same mode, without incurring blame, or hearing any complaint; and, during the five years he had been in administration, he had never communicated any of the numerous papers and dispatches, which he had from time to time found occasion to transmit to his majesty, in any other manner.

This clear and manly explanation upon points, which, however trifling they may now appear, excited no small interest at the time, was considered by the house as perfectly satisfactory.

Mr. Sheridan, towards the conclusion of the debate, proposed an addition to the motion, stating, that the restrictions were formed upon the supposition, that his majesty's illness would be only of short duration; but Mr. Pitt objecting to this amendment as totally unnecessary, it was negatived without a division, and the original motion was passed.

Mr. Pitt next moved, "that the resolution agreed to by the lords and commons, respecting the care of his majesty's royal person, and the direction of his majesty's household, be laid before her majesty, with an humble address, expressing the hope which the commons entertain, that her majesty will be graciously pleased to undertake the important trust proposed to be invested in her majesty, as soon as an act of parliament shall have been passed for carrying the said resolution into effect:" this motion

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passed with scarcely any observation, and it was then agreed, that these resolutions should be communicated to the house of lords, at a conference, and their concurrence requested: this concurrence was granted, after a short debate, without any division.

The resolutions were respectively presented to the prince of Wales, and to the queen, by two members of the house of lords, and four of the house of commons; and Mr. Pitt having been one of the members of the house of commons, appointed to attend the prince of Wales upon this occasion, reported to the house, the following answer from his royal highness:

"My Lords and Gentlemen,

"I thank you for communicating to me the resolutions agreed to by the two houses; and I request you to assure them, in my name, that my duty to the king my father, and my anxious concern for the safety and interests of the people, which must be endangered by a longer suspension of the exercise of the royal authority, together with my respect for the united desires of the two houses, outweigh in my mind every other consideration, and will determine me to undertake the weighty and important trust proposed to me, in conformity to the resolutions now communicated to me.—I am sensible of the difficulties that must attend the trust, in the peculiar circumstances in which it is committed to my charge, in which, as I am acquainted with no former example, my hopes of a successful administration cannot be founded on any past experience; but confiding, that the limitations on the exercise of the royal authority, deemed necessary for the present, have been approved only by the two

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houses, as a temporary measure, founded on the loyal hope, in which I ardently participate, that his majesty's disorder may not be of long duration; and trusting in the mean while, that I shall receive a zealous and united support, in the two houses, and in the nation, proportioned to the difficulty attending the discharge of my trust in this interval, I will entertain the pleasing hope, that my faithful endeavors to preserve the interests of the king, his crown, and people, may be successful."

Lord Courtown, one of the members of the house of commons, appointed to attend the queen, reported to the house, the following answer from her majesty:

"My duty and gratitude to the king, and the sense I must ever entertain of my great obligations to this country, will certainly engage my most earnest attention to the anxious and momentous trust intended to be reposed in me by parliament. —It will be a great consolation to me, to receive the aid of a council, of which I shall stand so much in need, in the discharge of a duty, wherein the happiness of my future life is, indeed, deeply interested; but which a higher object, the happiness of a great, loyal, and affectionate people, renders still more important."

The prince of Wales having consented to accept the regency, under the proposed limitations, and the queen to undertake the care of the person of the king, with suitable powers, and assisted by the advice of a council, ministers thought it their

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duty to proceed with all practicable expedition; and, accordingly, lord Camden, on Saturday the 31st of January*, the day on which the above answers were reported to the house of lords, stated, that the next necessary measure fell under that resolution, by which it was decided to be requisite to determine on the means, whereby the royal assent might be given in parliament, to such bills as may have been passed by the two houses, respecting the exercise of the powers and authorities of the crown, in the name and on the behalf of the king, during his majesty's indisposition. He had, he said, undertaken to explain the mode, by which his majesty's ministers proposed to carry those means into effect, in order to elect and appoint a regent, under a perfect conviction, that amidst a choice of evils, the mode he was about to submit to the house, was the least objectionable, and the most fit to be adopted, because it was the most reconcileable to the principles of the constitution. In the present melancholy situation of affairs, the incapacity of his majesty to discharge the duties of his station, was severely felt, and the people began to complain, that the country was left without a government: They were impatient for the restoration of the constitution to its complete form, that of the three estates, from the co-operation of which the government derived its energy, and all its functions proceeded with regularity and with vigor. It was, therefore, necessary, that parliament should interpose its authority; but parliament could not take a single step, circumstanced as it was at present; without the king it was a headless trunk, perfectly inanimate, and incapable

* It is not usual for the houses of parliament to meet on a Saturday, except upon very extraordinary occasions.

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of acting: No one thing could be done, by the two houses, which assumed the character, or aimed at the efficacy, of legislation, without the king at the head, to substantiate the act, and give it a constitutional currency. The king must be on the throne in that house, or by some means or other signify his sanction to their proceedings; or, notwithstanding the resolutions they had passed, all their time would have been wasted, and all their pains thrown away. The first step now to be taken was, to open the parliament, and to do it by the king's authority. The law declared, that in one mode or other, the king must be there, to enable them to proceed as a legislative body. That his majesty, from his illness, could not attend personally, was a fact too well known to be disputed.—Deprived of the assistance of his majesty in his natural capacity, they were compelled to resort to his political capacity. It must then be considered, by what means the king exercised his parliamentary prerogative, when he did not exercise it personally. The legal and constitutional mode was, by issuing letters patent, under the great seal. In the present dilemma, consequently, the most safe means of opening the parliament would be, by directing letters patent to be issued in the king's name, under the great seal, authorizing commissioners to open parliament in the name of his majesty.

What he now proposed, had been hinted at in the late debates, and, by way of ridicule, it had been termed a fiction, a phantom, and a variety of other contemptuous names. A fiction these means might be called, but it was a fiction, admirably calculated to preserve the constitution, and by adopting its form, to secure its substance. This fiction, in the

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first place, kept the throne entire, if the king should be living, but in his natural character incapable of exercising the royal authority. Secondly, no bill which had not the king's name at the head of it, and therefore purported to be of royal authority, could have a legal effect—a deficiency, which this fiction would cure. Thirdly, if a king should for a time be deprived of the power of exercising his royal prerogatives personally, either from not being of age, or from being rendered incapable of attending parliament by illness or any other cause, on his return to his powers of action as a sovereign, he would see, that all his prerogatives had been carefully preserved, and that they all stood minuted down upon record. A sovereign's sentiments were known only by record, and therefore it was absolutely necessary to issue a commission to open the parliament; and if that ground were admitted, which, he conceived, could not be denied, by whose authority was a commission, such as he had described, to be issued? Would it be said, that his royal highness the prince of Wales could command the lord chancellor to put the great seal to such a commission? His royal highness had not the smallest pretence to assume such an authority—both houses had recently voted, that the prince had no such right.—Would the lord chancellor himself venture to do it? Undoubtedly he would not. The commission must be issued by some authority; and being once issued with the great seal annexed to it, it must enforce obedience. If their lordships, or any of them, thought the mode, which he was about to propose, inexpedient, they were bound to suggest some other mode of attaining the object; and if what they suggested should appear to be a better

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mode, he declared that he for one would be ready to adopt it. His own opinion was, that it was in the power of the two houses to direct the great seal to be put to the commission, and in their power only. The great seal was the high instrument, by which the king's fiat could be irrevocably given; it was the mouth of royal authority; the organ by which the sovereign spoke his will. Such was its efficacy, and its undoubted authority, that, even if the lord chancellor should put the great seal, by caprice, to any commission, it could not be afterwards questioned; though in reality a misdemeanor, yet it would make letters patent of such validity, that the judges themselves could not dispute their force. If an act of parliament was passed by authority of a commission issued under the great seal, and indorsed with a Le roi le veut, it was valid: it must be received as a part of the statute law of the land, and could not be controverted.

Lord Camden begged leave to remind the house, that they must resort either to the fiction, which had been treated with so much ridicule and contempt, or they must resort to something else. He was aware of the observation, that the mode proposed, had been the practice of barbarous times. Undoubtedly the precedent was to be looked for in the reign of Henry the sixth; but the house would be pleased to recollect, that it was those barbarous ancestors, who made the constitution. It was to them, that we owed the common law of the land, which had been handed down from age to age, invariably from their time to the present period. It was upon them that lord Coke had founded himself, in every part of his works. The present race, therefore, would betray great ingratitude, if they forgot

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their obligations to the reign of Henry the sixth; a reign, in which as sound lawyers, as able statesmen, and as honest magistrates, lived, as in any subsequent period of our history. They were not, perhaps, so well read in Latin and in Greek, or so much familiarized with the refinements of modern times, as our present lawyers; but it was not therefore to be supposed, that they did not possess as sound understandings, were not gifted with as much good sense, and had not as clear a conception of the constitution, its principles, and those of the law, as both then stood, as any lawyers at any period. There never was a time of greater tranquillity and peace, than the first twenty years of Henry the sixth. The lord chancellor of that day surrendered the great seal into the hands of the infant king, and it was afterwards, by the duke of Gloucester* and other great men, committed to the custody of the master of the rolls, who put it to several commissions, and, among others, to one for assembling parliament. The king, being then only nine months old, was as incapable of ordering the commission for calling the first parliament, which met in his reign, as his majesty was at present; and therefore in that respect the two cases were alike.

He thought it fair, he said, to apprise their lordships, that at a subsequent opportunity, when the bill, appointing a regent, and enacting the limitations and restrictions, which the house had already agreed to, and had communicated to his royal highness, should have gone through all its forms in the two houses, it would be necessary to affix the great seal to another commission for giving the royal assent to such bill.

* The duke of Gloucester was uncle to the king.

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In farther confirmation, that the proposed expedient for opening parliament was constitutional, and conformable to practice, he adverted to a precedent, which had occurred in 1739, in the reign of George the second, when lord Hardwicke was lord chancellor. He well knew that noble lord, and a judge of more prudence and caution, or of more firmness, had never existed. Lord Hardwicke put the great seal to two separate commissions, one for opening a session of parliament, and the other for passing a bill, in the king's name, when the king was ill, and his life thought to be in danger. This circumstance was an argument strongly in favor of the doctrine he had maintained. He concluded with moving, "That it is expedient and necessary that letters patent should pass under the great seal of Great Britain, of the same tenor and form, as when his majesty himself authorizes parliament to be opened by commission."

A debate ensued, in which the duke of York desired, that his name and that of the prince of Wales, and the duke of Cumberland desired, that his name and that of the duke of Gloucester, might be omitted in the commission, lest by the insertion of their names, they should be considered as approving the measure. Their requests were of course complied with; and the motion passed without a division.

This resolution was communicated at a conference, to the house of commons, on the 2d of February; and on the same day, Mr. Pitt, in moving for the concurrence of that house, used nearly the same arguments as had been advanced by lord Camden. He began by observing, that it had been decided by the two houses of parliament, that no right to exercise the

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royal authority existed in any person during his majesty's incapacity, and that no one could exercise that authority, but by the appointment of the two houses. It was then to be asked, whether in providing for the deficiency of the third branch of the legislature, they were to act in their own names, or in that of the king? It appeared to him, he said, far better, that the two houses should not take upon themselves, in their own name, to do a legislative act, but that they should ratify their act by the name of the king, who was still upon the throne, and whose political capacity was still entire. The two houses were bound to act up to the necessity of the case, and to do no more. They would remove the present difficulty by acceding to the resolution, sent from the house of lords; and they would adopt a form in their proceedings, which could not be disputed by the judges. It was fortunate for this country, that it had a constitution so framed, that it was nearly impossible any circumstance should occur, which would destroy its government. In case of the throne being vacant, the two houses of parliament had power to act by themselves, and in their own name: the vacancy of the throne caused the whole power to return to the people; by them again to be delegated through the two remaining branches of the legislature, who were the legal organs, by which the sentiments of the people might be collected. At the revolution, the parliament acted up to the true principles of the constitution; they acted on their own authority, in their own name, the throne being vacant. The right, which at present devolved to the two houses of parliament, was a different right: they were to provide for the suspension of the executive power, while the throne was not

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vacant. Acting then upon the same principles, which governed their ancestors at the revolution, but confining themselves to the necessity of the case, though they must now act without the personal attendance of his majesty, yet they were not to act without his name, because he was still upon the throne. In great emergencies, it was wise and prudent, as far as possible, to abide by the forms of law and of the constitution; and, in the present case, the two houses were, in his opinion, fully empowered to direct the use of the great seal, for the purpose of giving the effect of law to their resolutions and opinions, and as the most eligible means, under present circumstances, of restoring the executive government.

In the infancy or infirmity of the sovereign, the will of the king had always, in form of law, been made the instrument of sanctioning the acts of the executive power, by whomsoever advised or directed. In this manner, by a commission under the great seal, had parliaments in such cases been called together in former times, as appeared by the precedents; and their acts were ratified by the royal authority, although the king was incapable of exercising any judgment, discretion, or will of his own.

The statute of the 13th of Charles the second, and several other statutes, had been quoted, as forbidding the two houses from exercising this power; but those laws, he said, could not be understood to mean any more than that, when there was a king of full age and in good health, the lords and commons could do no legislative act of themselves; and they could not possibly mean, that the two houses should not act at all, when there was no king to act with them: They were, therefore,

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totally inapplicable to the present situation of the throne, occupied by a monarch laboring under a temporary incapacity. As well might the statutes in question have been urged against what was done at the revolution, as opposed to the proceedings now under deliberation.

The mode proposed, had also been objected to, on the ground, that any act done in the king's name, without his knowledge, was a coarse fiction, a mere legal forgery, not to be endured. If it were really so, what was the regent to do? Was he to act in his own name, or in that of the king? In his own name he could not act, without first dethroning the king; and in the king's name he could not act, without recourse to this reprobated fiction. If gentlemen, who argued thus, knew their own principles, they would forbear urging them, as, in truth, they proved the impossibility of appointing any regent.—But the fiction, which had been treated with so much disrespect, and twisted and distorted into so many shapes of absurdity, was, in fact, sanctioned by the practice of the constitution, and the forms of law. It was that fiction, which governed the proceedings of the courts of justice, which secured the dearest rights of Englishmen. It resulted from the nature of hereditary monarchy; from that principle, which supposed the same power to pass instantly in succession from one person to another, and that the political capacity of the king is always entire; that principle, which preserved sacred and inviolable the person on the throne, and protected him in the imbecility of infancy, and the decrepitude of age. The twelve judges have, in fact, given their sanction to this fiction, and declared his majesty's political character to be still entire,

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by carrying on the business of Westminster Hall, in the name of the king, during his present indisposition. Certain forms of law were evidence of the will of the king; and, wherever they appeared, could not be averred against. Of this nature was affixing the great seal; and if the lord chancellor were then to put the great seal to any act which had passed the two houses, it could not be contradicted; its legality could not be disputed; it must be received by the courts of justice, and proceeded on as law. But the personal incapacity of the king being known, and that he was disabled from giving any command, the lord chancellor would incur such danger to himself, by an action of that sort, as would, undoubtedly, deter any man in his senses from committing it. The highest authority in the nation was requisite for such an act; and that was the great council of the nation assembled in parliament. The motion passed without a division.

In consequence of the above resolution of the two houses, the lord chancellor affixed the great seal to a commission for opening parliament, and the commissioners, on the 3d of February, addressed the houses in the following words, "In pursuance of the authority given to us by his majesty's commission under the great seal, which has now been read, among other things, to declare the causes of your present meeting; we have only to call your attention to the melancholy circumstance of his majesty's illness, in consequence of which it becomes necessary to provide for the care of his majesty's royal person, and for the administration of the royal authority, during the continuance of this calamity, in such manner, as the exigency of the case appears to require."

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While these proceedings were taking place in parliament, the king's disorder gradually subsided, and the public had the comfort of daily receiving more favorable accounts of their beloved sovereign, in the bulletins signed by the physicians. A great variety of opinions, however, were at this time entertained upon the interesting subject of his majesty's recovery. There were those who even now thought, or affected to think, that the malady would continue throughout his life, or that he would fall into a state of incurable fatuity. Many, among whom were some of his medical attendants, believed his recovery to be still at a considerable distance; and others feared, that if the mental infirmity should soon be removed, which appeared to them not improbable, it would be some time before he could engage in the momentous duties of his station, without the hazard of a relapse. Some few were so sanguine as to flatter themselves, that no regency would be necessary; and Mr. Pitt himself was inclined to indulge that expectation. His own disposition naturally led him to hope the best, on all occasions; and he placed great reliance upon the judgment of Dr. Willis, with whom he had frequent communications, and who, having constantly grown more and more confident in those sentiments, which he had expressed in both his examinations, was now decidedly of opinion, that after a short period no part of his majesty's mental disorder would remain, and that he might safely resume the exercise of his royal functions. As the fever abated, the use of reason returned in a proportional degree, which he regarded as a most encouraging symptom, and as clearly indicating that the complaint would not be permanent. Mr. Pitt, however, after minute inquiry and impartial reflection, was convinced, that his majesty's progress

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in amendment, though considerable, was not at present sufficient to justify ministers in stopping the measures for the appointment of a regent. Upon a point of that delicate and important nature, he was sensible, that the greatest caution was on every account requisite, particularly from the danger which must attend a premature application to his majesty, upon those various matters of national business, which were depending, after so long a suspension of the royal authority; and he was aware, that the bill, although introduced, might be abandoned in any of its stages, in either house, if such a step should be warranted by the degree of improvement in his majesty's health.

With these impressions upon his mind, he presented the regency bill to the house of commons, on the 5th of February. Conformably to the resolutions, on which it was founded, this bill authorized the prince of Wales to exercise all the royal prerogatives, and to perform every act of government, during the king's illness, in the name and on the behalf of his majesty, in the same manner as his majesty could have done; subject to the three restrictions which have been mentioned: It assigned the care of the king's person to the queen, adding a council of advice for the assistance of her majesty; and it contained provisions for the resumption of the royal authority in the person of his majesty, in case of his recovery.

The bill was read a second time on the 6th, after a few observations from Mr. Burke, to which no reply was made. But it was four days in passing through the committee; almost every clause being warmly debated, upon the same grounds as when the resolutions were discussed.

The only new topics introduced were, the nomination of the

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queen's council, and the resumption of the royal authority by the king.

Mr. Pitt proposed, that the queen's council should consist of the four principal officers of the king's household, the lord steward, the lord chamberlain, the master of the horse, and the groom of the stole, all for the time being, and of the present archbishops of Canterbury and York, lord Thurlow, and lord Kenyon. Separate motions for the appointment of these eight persons, passed unanimously; after which lord North contended, that to them ought to be added those younger branches of the royal family, who were of age. This was urged, probably with a view of embarrassing Mr. Pitt: but being convinced that the proposition ought not to be acceded to, he resisted it upon the following grounds; that the queen would at all times have it in her power to apply to the members of the royal family for advice, if she chose it, although they were not of the council; that it would be improper unnecessarily to place the sons and brothers of the king in responsible situations, for their conduct, in which they might be called to the bar of the house of commons; and that as it was universally admitted to be unfit, that the prince of Wales, as being next in succession, should have any concern in the care of the king's person, the same principle should be extended to the rest of the royal family. The motion for the duke of York to be one of the queen's council, was negatived by a majority of 177 to 130; for prince William, by a majority of 176 to 128; and for the duke of Gloucester, by a majority of 178 to 129. The motions relative to prince Edward and the duke of Cumberland, were negatived without any division.

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The following was the mode, by which Mr. Pitt proposed, that the king should resume his authority: Whenever it should appear to her majesty and five of her council, that his majesty was restored to such a state of health as to be capable of exercising the royal authority, her majesty and her counsellors were to notify the same, by a written instrument signed by them all, to the lord president of the council, or, in his absence, to the secretary of state, who was immediately to communicate this information to the regent, send a copy of it to the lord mayor of London, publish it in the London Gazette, and lay it before the privy council, who were to be summoned for that purpose: after the entry of this instrument in the books of the council, the king might, by an instrument under his sign manual, require the lord president, or secretary of state, to summon a council to meet in his majesty's presence, consisting of not less than nine members named by the king, by the advice of six of whom the king might issue a proclamation, signed by himself and countersigned by the six privy counsellors, declaring his royal pleasure to resume the exercise of the royal authority; after which, the powers of the regent were to cease, and those of the king to recommence.

This plan was objected to, on the ground, that it enabled the king to resume the government without the consent of parliament; and Mr. Sheridan moved as an amendment, that the instrument, notifying his majesty's recovery, should be submitted to the two houses of parliament, previously to its being sent to the lord mayor, and inserted in the gazette. This motion was negatived by 181 to 113.

There were several other divisions in the committee, in all

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of which Mr. Pitt prevailed by similar majorities. Upon the third reading, a clause was introduced, limiting the restriction relative to the creation of peers, to three years; and the bill passed the house of commons on the 13th.

In the mean time the improvement in his majesty's health continued to advance without any interruption, and of course Mr. Pitt became more sanguine in his hope, that the measure, which had produced so much discussion, would in the end prove to be unnecessary. But he still thought it right to suffer the proceedings to go on; and the bill, being carried to the house of lords on the 13th, caused a general idea, that the regency would unquestionably take place. It was openly declared, that arrangements were made for a new administration * under the prince regent, and persons were publicly mentioned, who were to fill the inferior departments; a new lord lieutenant † was prepared to set out for Ireland; a successor to the vacant bishoprick of St. Asaph ‡ was announced, and received the congratulations of his friends; offices and situations which had become vacant during the king's illness, were promised; and it was fully expected, that within a very short period all these plans and engagements would be carried into execution. A sudden termination, however, was put to the intended regency, and to all the hopes and designs founded upon it.

* The duke of Portland was to have been first lord of the treasury, and Mr. Fox secretary of state.

† Earl Spencer.

‡ Dr. Wilson, bishop of Bristol. This bishoprick was afterwards given, upon the recovery of the king, to Dr. Halifax, bishop of Gloucester.

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On the 19th, after the bill had been read a second time in the house of lords, and most of its clauses had passed the committee, the lord chancellor, as had been previously determined at a cabinet council, but not made public, declared from the woolsack, that it was with the utmost pleasure he felt it in his power to inform the house, that since the physicians had pronounced his majesty to be in a state of convalescence*, the accounts of his progressive amendment had daily increased; and the recent intelligence from Kew was so favorable, that he conceived every noble lord would agree with him in acknowledging, that under present circumstances, which afforded ground to hope, that the necessity for the bill might be entirely done away, it would be indecent to go on with the proceedings in which they were engaged. Every one of their lordships, he was persuaded, would entertain the same sentiment on this subject; and, amidst the general joy, which the happy and reasonable expectation of his majesty's speedy return must occasion, he had no doubt that the house would consider it absolutely necessary to wait a few days for a full ascertainment of the nature of the progress towards a perfect and complete recovery, in his majesty's health, before they went farther with the bill appointing a regency. Congratulating their lordships and the country, therefore, on the favorable

* On the 12th of February, the bulletin declared the king to be in a progressive state of amendment; and, on the 17th, it declared that his majesty had continued in a state of amendment for some time, and then was in a state of convalescence. Though these bulletins conveyed the idea of considerable and progressive amendment, it was not generally inferred from them, that his majesty would be able to attend to business soon enough, to prevent the necessity of a short regency.

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prospect of that event, to which the wishes and prayers of all his majesty's subjects were directed, he would humbly submit to their lordships, the propriety of the committee being adjourned to the 24th. This unexpected intelligence was received by the house, with the highest satisfaction; and, after short speeches from lord Stormont, and the duke of York, the adjournment took place. On the 23d, the king wrote his first letter to Mr. Pitt, desiring to see him the next morning at Kew*: It was short, but his majesty mentioned, with great feeling and kindness, "the support and anxiety shewn by the nation at large, during his long illness;" and Mr. Pitt's "constant attachment to his interest, and that of the public." From which it appears, that his majesty had already been made acquainted with the steps taken, in consequence of his indisposition.

On the 24th, the lord chancellor informed the house of lords, that he had been admitted to several interviews with his majesty: he had been in his presence at one time, for an hour and a quarter, and that day for a full hour; during both which times, he had found the posture of his majesty's mind to be clear and distinct; so much so, that he appeared perfectly capable of conversing on any subject. Under these circumstances, he thought it right to propose an adjournment to the Monday following, to which no objection was made; and, on that day, a farther adjournment took place to the Thursday, in the same

* The physicians were extremely desirous of postponing the first interview between the king and Mr. Pitt, as long as they could, lest his majesty should be disposed to talk, more than at present might be safe and proper, upon public business, and upon subjects connected with his illness.

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week, when the lord chancellor stated to the house, that his majesty found his health so fully established, that he hoped, on the following Tuesday, to communicate to the parliament such other business, as was necessary to be laid before them, for their consideration and dispatch. The house adjourned to that day.

The house of commons received, from Mr. Pitt, the same information relative to the state of his majesty's health, and the intended communication of public business; and similar adjournments took place without any discussion. The caution of ministers, in thus deferring the exercise of the royal functions, was very generally commended.

The bulletins* signed by the physicians, and the assurances from the lord chancellor and Mr. Pitt, were considered as a sufficient testimony of the king's recovery. Another examination of the physicians, by the houses of parliament, was barely mentioned, but not urged as necessary by a single member. A formal inquiry into the fact of his majesty's restoration to health, which was universally acknowledged, would have been highly indelicate and improper; and no one could now question the king's right, immediately to enter upon the government of his realms, in the same manner as if there had been no suspension of the royal authority.

Conformably to the notice which had been given, a commission under the great seal was read to the two houses, on

* On the 25th, the bulletin pronounced the king to be free from complaint; and, on the 27th, after again declaring, that he continued free from complaint, it added, "by his majesty's command, the physicians' report is to be discontinued from this day."

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the 10th of March, authorizing the commissioners, who had been appointed by former letters patent, to open the parliament, to declare certain farther causes for holding the same; after which, the lord chancellor, in the name of the commissioners, acquainted the two houses, that his majesty being, by the blessing of Providence, recovered from the indisposition with which he had been afflicted, had commanded them to convey to parliament his warmest acknowledgements for the additional proofs, which they had given of their affectionate attachment to his person, and of their zealous concern for the honor and interests of his crown, and the security and good government of his dominions; and that his majesty did not doubt, but the interruption, which had necessarily been occasioned to public business, would afford them an additional incitement to apply themselves, with as little delay as possible, to the different objects of national concern, which required their attention.

That they were likewise ordered by his majesty to acquaint parliament, that since the close of the last session, he had concluded a treaty of defensive alliance with the king of Prussia, copies of which would be laid before the two houses; that his majesty's endeavors had been employed, during the last summer, in conjunction with his allies, to prevent, as much as possible, the extension of hostilities in the north, and to manifest his desire of effecting a general pacification; that no opportunity would be neglected on his part, to promote that salutary object; and that he had in the mean time the satisfaction of receiving from all foreign courts, continued assurance, of their friendly disposition towards this country.

That they were commanded to inform the house of commons,

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that the estimates of the current year would be forthwith laid before them; and that his majesty was persuaded of their readiness to make the necessary provisions for the several branches of the public service.

That they had it particularly in charge from his majesty, to assure the two houses, that they could not so effectually meet the most earnest wish of his majesty's heart, as by persevering in their uniform exertions, for the public welfare; and by improving every occasion to promote the prosperity of his faithful people, from whom his majesty had received such repeated and affecting marks of invariable zeal, loyalty, and attachment, and whose happiness he must ever consider as inseparable from his own.

An address of congratulation and thanks to his majesty was moved in the house of commons by lord Gower *, and seconded by Mr. Yorke †, which, after a few observations from Mr. Fox, passed without a dissentient voice.

The same unanimity prevailed upon a motion for a message to the queen, congratulating her majesty upon the happy recovery of the king, an event in which she was so peculiarly interested.

The king, actuated by that principle of religion, which formed a distinguished part of his character, had, from the earliest moment of his recovery, determined, that his first appearance in public should be to return thanks in the cathedral of his metropolis, for the mercy, which it had pleased God to vouchsafe to him; and on the 8th of April, Mr. Pitt, by his majesty's command, informed the house of commons, that his

* Now marquis of Stafford. † Now earl of Hardwicke.

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majesty had appointed Thursday, the 23d of that month, to be observed as a day of public thanksgiving to Almighty God, for the signal interposition of his good providence, in removing from his majesty the late illness, with which he had been afflicted; and that for the greater solemnity of the day, it was his majesty's intention to go to St. Paul's church; adding, that his majesty had given the necessary orders for providing convenient places in the cathedral, for the members of that house. A resolution of thanks to the king for his communication, upon the motion of Mr. Pitt, passed unanimously. The same message was delivered to the house of lords, by the lord chamberlain, and a similar resolution passed.

On the day appointed for this act of pious gratitude, the king, accompanied by the queen and royal family, and attended by the two houses of parliament, the great officers of state, the judges and the foreign ambassadors, and surrounded by unexampled crowds of people, who viewed the procession in reverential silence, went to St. Paul's. His majesty was received at the west end of the church, by the bishop of London, the dean, and the residentiaries. A martial band stationed near the door, played appropriate music, till his majesty reached the area under the great dome, when it ceased; and instantly the organ, accompanied by the voices of above five thousand children of the city charity schools, who were placed upon circular seats, gradually rising between the pillars on both sides, began the hundredth psalm. The simple melody, joined to the spectacle, evidently affected the king; and as he was walking between the bishop of London and myself *, he turned

* The author of these memoirs was then dean of St. Paul's.

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to me, and said, with great emotion, "I now feel that I have been ill." He then stopped, but soon recovering himself, proceeded to the choir. The humility with which his majesty knelt down, upon first entering his seat, and the fervor with which he seemed to pour forth his thanksgivings and prayers, made a lasting impression on the minds of those, who were near enough to observe him. Indeed, throughout the service, which was adapted to the solemn occasion, and in the whole of this interesting and awful scene, eminently calculated to awaken pious and grateful feelings, nothing was so striking, as the earnest and uninterrupted devotion of his majesty, manifestly proceeding from a heart truly sensible of a recent and gracious interposition of Divine Providence.

The seriousness and regularity, with which the religious ceremony of the day was observed in every town and in every village, evinced, that his majesty's subjects fully participated in these sentiments of gratitude to heaven. In the evening the illuminations were general and brilliant, beyond all example. Not only every street, and every alley of the metropolis, but the meanest cottage in every part of the kingdom, bore witness to the feelings which universally prevailed. Vain would be the attempt to convey an adequate idea of the joy, affection, and loyalty, which all ranks and descriptions of persons were eager to display, upon the happy event of their sovereign's recovery; and, amidst the general exultation for this most signal blessing, the steady, consistent, and constitutional conduct of Mr. Pitt, during the late very peculiar and embarrassing state of public affairs, was remembered with a warm and just acknowledgement of its merit and importance.

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It would, perhaps, be impossible to fix upon a period in the history of this or of any other country, when a king was more sincerely and universally beloved by his subjects; or when a minister stood higher in the confidence of his sovereign, and of the public, than at the present moment. The wish, expressed by Mr. Pitt, upon a former occasion, seemed to be realized, and principally by the wisdom of his own measures—he now saw "A patriot king presiding over an united people."

THE subject of the regency gave rise to the second parliamentary contest of extraordinary difficulty, and involving essential principles of our constitution, in which Mr. Pitt was engaged; and I shall offer a few observations upon what passed at this interesting crisis.

In 1784, Mr. Pitt had defended the prerogative of the crown against a powerful party, aided by a majority of the house of commons, who virtually denied the right of the king to appoint his own ministers; and now he stood forward in support of the privileges of parliament, against the same set of men, strengthened by the confident expectation of their immediately succeeding to the administration of the country, who asserted the absolute right of the heir apparent to the throne, to exercise all the functions of royalty, during the illness of the king, independently of the authority of the remaining branches of the legislature. On the former occasion, he acted on the defensive, having chiefly to repel the attacks of his enemies; on the present, he was called upon to form and bring forward a plan, for carrying on the government of the country, under unprecedented and most delicate circumstances. Both these

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arduous, but very different, situations he maintained with the same ability, firmness, and manly spirit; and we have seen that, in both, he was equally successful in defeating the unconstitutional attempts of his formidable and violent opponents.

Though Mr. Pitt denied an inherent right in the prince of Wales to assume and exercise the whole powers of the crown, upon the declared incapacity of the king, yet he was decidedly of opinion, that his royal highness, as heir apparent of full age, had a claim of priority, above every other subject, to be invested with such part of the royal prerogatives, as the two houses of parliament should judge requisite, for administering the government during that short period, beyond which it was hoped that a regency would not be necessary. The former he did not admit, because it would have been incompatible with the rights of parliament, and might have been dangerous to the welfare and interests of the king, who was still upon the throne, and who might soon be capable of resuming the exercise of his royal authority. The latter he allowed, because it was the best mode of supplying the temporary defect in an essential branch of the legislature; and because the appointment of any other person as regent, might have been injurious to the future rights of the heir apparent; and, in the mean time, productive of much cabal, confusion, and mischief in the kingdom. Indeed, the claim of his royal highness, upon the ground of propriety, discretion, and expediency, appeared to him as clear on the one side, as the question of strict right did on the other. Mr. Fox, who at first contended in the most positive and unqualified terms, for the right of the prince, did not think it prudent to advise his royal highness to assert that right; and

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he afterwards eagerly deprecated all discussion upon the subject, in which he was joined by his political friends. The same wish on the part of the prince himself, was also declared by the duke of York, in the house of lords. Had Mr. Fox felt any confidence in his own doctrine, he would not have been anxious to prevent an inquiry into its truth; and had the right been really considered as well founded, there was no reason why it should not have been formally asserted by the prince. As, however, this right had been once maintained by so distinguished a person, and not afterwards disclaimed either by him or by the prince, ministers deemed it indispensably necessary, that the question should undergo a full investigation, and be decided in both houses, as a point which might affect future ages.

Mr. Pitt not only unequivocally acknowledged from the first, that no claim could come into competition with that of the prince of Wales, but he also admitted, that if his majesty's illness should prove of long continuance, his royal highness ought to be invested by parliament, with all the powers and prerogatives belonging to the sovereign of these kingdoms. This distinction between a short and a long regency, was surely founded on just principles of reason and sound policy; and a regard to it was strongly demanded by the peculiarity of the well-known circumstances, under which the present regency was to be established.

A regent is, in truth, no part of the British constitution, and those who argued for the right of the prince of Wales, could not support their opinion by statute or common law: when called upon, they could produce no authentic document

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explaining or conferring the powers and duties of a regent. No such person or character as regent, was mentioned in any law then in force *; and of course no oath was prescribed to a regent, corresponding to the king's coronation oath; and had the proposed address, inviting the prince of Wales to undertake the regency, passed the two houses of parliament, he must have entered upon the government of the country, without the security required from the king, that he would "govern the people of this kingdom of England, and the dominions thereunto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same †." The want of a regent's oath is of itself a sufficient proof, that a regent is not a constituent branch or member of our government; and that no person can, under any circumstances, during the life of a king, claim that office by hereditary right. Nemo est hæres viventis, is a known and acknowledged maxim of our laws, applying with equal force to every description of right or property, and to every rank and condition of men, without any exception or distinction. The hereditary right to the crown and to the exercise of the royal functions, like every other

* Several particular regency acts had passed in different reigns, which of course expired, when the circumstances, for which they were to provide, ceased. The earliest regency act upon record, was in the reign of Henry the eighth, which only empowered the king to appoint a regency. There is no instance in our history, of a minor king succeeding to the crown, where a regency had been previously fixed by parliament.

† Coronation oath. Mr. Pitt's bill prescribed an oath to be taken by the regent, and also directed, that he should "take such oaths, and make such declaration, and do all such acts, as are required by the laws, to qualify persons to hold offices and places of trust."

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right of inheritance, attaches only upon the death of the person in possession. The necessity of delegating a certain portion of the royal authority, on account of the incapacity of the king, had frequently arisen, and it could not but be foreseen, that similar instances might hereafter occur; but our ancestors prescribed no general and binding rules for cases of that kind. They thought it far better, that the two remaining branches of the legislature should make a particular provision for each case, adapted to its own exigency. They were probably aware, that great difficulties and dangers might arise, from giving the full powers of sovereignty to the next heir, while there was a king upon the throne, incapable from infancy or infirmity, of exercising the royal functions; and that the specific restrictions which might be requisite, must depend upon existing circumstances, and could not be previously determined. The rule of succession to the throne, and the prerogatives of the king, are accurately and authoritatively defined: But who shall be regent, and what shall be his powers, are points left to be settled by parliament, whenever it shall become necessary, that some one should act in the room of the lawful possessor of the crown.

The practice has been strictly conformable to these principles. The history of this country furnishes not a single instance of a regent, who succeeded to the office by hereditary right, or who, in his own person, without the control of a council, enjoyed all the prerogatives of the king. On the other hand, the most undeniable proof was produced, in the late debates, of parliament having appointed regents and protectors, during the incapacity of the kings, with limited powers; and one instance was quoted, of parliament having expressly rejected a claim similar to that which was now urged.

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These authorities being, as matters of fact, incontrovertible, an attempt was made to invalidate their force as applicable to the present case, by stigmatizing the times from which they were derived, as dark, barbarous, and turbulent. To those times, however, we owe all the fundamental principles of our boasted constitution, and the best and most valuable of the wise and salutary laws, under which we have the happiness of living. Were this ground of rejecting precedents, to be admitted, there would be an end of all appeal to the authority of former days.—But the character of the period in question was fully vindicated by that venerable statesman and constitutional lawyer, lord Camden, who had been closely connected in politics with the late lord Chatham, and whose able assistance and cordial co-operation, throughout the present delicate and arduous business, were highly useful and honorable to Mr. Pitt.

If we refer to later times, we find that at the revolution, the two houses overlooked the line of hereditary succession, passed over the claim of the prince of Wales, which, however, it must be owned, was considered as doubtful on the point of legitimacy, and also, in part, the right of the princess of Orange, and made the prince and princess of Orange king and queen; directing, that the royal authority should be exercised by William only*, and that the princess Anne should not succeed to the throne, till after his death, as well as that of her elder

* This was so distinctly done, that when king William went over to Ireland, an act of parliament was necessary to enable the queen to exercise royal authority during his absence. It should, however, be observed, that the extent of this deviation from the line of succession, was caused by the absolute refusal of the prince of Orange to accept the crown upon any other terms; and the distressing difficulties under which the nation labored at that time, rendered this arrangement indispensably necessary for the safety of the laws and religion of the kingdom.

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sister. It is plain that, in this instance, the two houses of parliament, disregarding the strict line of descent, even in the two next protestant heirs, exercised their discretion, and supplied the third estate, which had become vacant by the abdication of James the second, in the manner which they judged most conducive to the welfare of the kingdom, and best calculated to preserve the spirit of the constitution. Their conduct evidently shewed, what they conceived to be the power and duty of the two remaining estates of the realm; and that conduct has been the theme of the warmest encomiums, as well as the source of the greatest blessings to this country. The same principles, as was repeatedly observed in the debates, were to be applied to the present situation of affairs, as far as the difference of circumstances would allow. If the two houses had the power to make a lasting provision for the absolute deficiency of the third estate in 1688, when the king, by his own act, had forfeited his claim to the allegiance of his subjects, and could never be restored to his authority, they had unquestionably the power to make a temporary provision for the suspension of the exercise of the royal functions in 1788, when the king might at any moment be again in a situation to re-assume the reins of government; and in the mean time it was of the utmost importance, that his rights should be carefully preserved. If, when the throne was declared vacant, no claim of right to the succession was urged by or for any individual, no one surely could claim a right to succeed to the royal authority, while the throne was in reality full, and the political capacity of his majesty in complete existence. It is a fundamental maxim of our constitution, confirmed by the

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undeviating practice of former times, that whenever there is a deficiency, whether permanent or temporary, and however caused, in the kingly authority, it is the right of the two houses of parliament, the representatives and legal organs of speech of all the estates of the people, if there be no previous provision, to supply such deficiency, according to their wisdom and discretion; and this right, strictly considered, could not be affected by the accidental circumstance of the prince of Wales being of age, although that circumstance prevented any doubt concerning the person, to whom the two houses were bound, both from the preference due to the heir apparent, and from a regard to the public interest, to delegate the necessary powers.

The case of the minority of the succeeding king was provided for in both the last two reigns. By the regency bill of George the second, the princess dowager of Wales, although a foreigner, was appointed regent, in the event of the crown descending to any child of the late prince of Wales, when under eighteen years of age; and the duke of Cumberland, the king's son, and next presumptive heir of full age, was passed over as regent, and only nominated a member of the council of regency*. By a bill, in the early part of the last reign, the king was, under similar circumstances, empowered to nominate a regent by his will, though his brother, the duke of York, was the next in succession, and of full age. These, indeed, were acts of complete legislatures; but, in the debates which

* In 1751. It is remarkable, that at this time both lord Chatham and lord Holland, the fathers of Mr. Pitt and Mr. Fox, were in office and supported the bill.

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they occasioned, no objection or complaint was made; nor was any idea started, that during the incapacity of the king, the next heir, of full age, had a right to the regency; and these acts directly contradicted such a principle.

It did not follow, because the regent was not to be invested with all the regal prerogatives, that the king possessed more power, than was required for the purposes of government. One degree of power may be necessary for the permanent office of king, and another for the temporary office of regent. In all the debates upon this part of the subject, Mr. Pitt expressly said, that he proposed the restrictions, under the expectation that his majesty's illness would continue only for a short time; and he consented, that the most material of them all, that relating to the creation of peers, should be limited to three years, lest, if it were indefinite as to time, the house of peers should not permit its removal. The restrictions were few in number; and whoever considers them impartially, and with reference to the circumstances under which the regency was to take place, must admit their reasonableness, and acknowledge, that, though they might have deprived the regent's ministers of the means of conferring favors upon their friends and adherents, they could not have interfered with the discharge of any of the essential duties of their situation, or have fettered them in any important plan or measure for carrying on the government of the country, during a short period. If any great occasion had occurred within that limited time, for raising some distinguished person to a peerage, or for remunerating eminent services by a pension or office, recourse might have been had to parliament, who would, doubtless, have been ready in such

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a case, to dispense with the restriction; and that very dispensation would have stamped a higher value upon the honor or reward. It should always be remembered, that, if no restriction had been imposed, the persons advanced to the peerage, would unquestionably have been men, who had long acted in habitual opposition to the king's government, and whose principles would have led them to oppose any administration, not composed of their own party. The promises respecting peerages were understood to have been carried to a great extent; and the number of new peers might have proved a serious inconvenience and embarrassment during the remainder of the king's reign, if, after a short regency with unlimited power, his majesty had been restored to the exercise of his royal functions. It was obvious, that such an influence would have been scarcely less dangerous, than that aimed at by Mr. Fox's India bill; and therefore full credit was given to Mr. Pitt, when he declared, that a regard to what he owed to his sovereign and to the country, was the sole motive which prompted him to propose the temporary limitations upon the authority of the regent. He boldly and emphatically observed, that as the system of his majesty's government was known to be at variance with the avowed principles and recorded opinions of those men who were destined to be the ministers of the regent, every principle of public policy, of respect for the king, and of regard for the safety of the nation, not only sanctioned, but imperatively demanded, the imposition of those restrictions which he had suggested.

When the king's illness rendered him incapable of attending to business, Mr. Pitt, as has been noticed, went several

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times to Windsor, for the purpose of learning from the physicians, the exact state of his majesty's health. We have seen in Mr. Pitt's letter to the prince of Wales, that, before he left Windsor upon those occasions, he thought it a proper mark of attention to inquire, whether his royal highness, who was then resident in the castle, had any commands for him, and that the answer was always in the negative. The prince, thus declining all personal communication with Mr. Pitt, plainly proved his royal highness's sentiments towards his father's ministers*, before any step was taken by them respecting a regency; and accordingly, as soon as it was considered as settled, that the prince of Wales was to be appointed regent, it was openly announced in parliament, with a view which could not be mistaken, that Mr. Pitt and his colleagues would be immediately removed from their offices. Notwithstanding this declaration, however, Mr. Pitt retained a constant and decided majority in both houses; and the people in their addresses to him, and by other methods, expressed unqualified approbation of the measures he was pursuing. Every principle which he advanced, relative to the present unprecedented situation of affairs, was sanctioned by parliament; and the whole plan for a regency, as proposed by him, under circumstances little calculated to ensure success, was, without a single exception or addition, adopted by the two remaining branches of the legislature. All the arts of political intrigue, and all the influence and talents of the intended administration were exerted

* From the moment Mr. Pitt was placed at the head of the treasury, to the present time, he had the mortification of knowing, that the influence of the prince of Wales was exerted against his administration.

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in vain. Upon the eve, as it was supposed, of his being called upon to resign his situation, he received the strongest marks of attachment and confidence both from parliament and from the public; and small, indeed, was the number of those who deserted the falling minister—unequivocal testimonies to his merit, and incontestable proofs of the high estimation in which he was held. At the same time, the certainty of being dismissed from office, made, in no respect, the slightest alteration in his conduct. He displayed his accustomed disinterestedness and ardent zeal for the public service, with a respectful attention where it was due, accompanied by a manly spirit, regardless of offence, while he was conscious that he was discharging his duty to his king and to his country. He did not propose a council of regency, which had been usual on former similar occasions, and was now manifestly expected by his opponents, because he thought such a provision would tend to weaken the hands of the executive government; he left to the regent the unrestrained power of choosing his ministers, with full liberty of pursuing any line of foreign or domestic politics, as being more agreeable to the principles of our constitution; and he used all possible dispatch in carrying the necessary measures through parliament, although he was aware what would be the immediate consequence to himself and his friends.

It is not a little remarkable, that all the delays in the appointment of a regent, originated from the party opposed to Mr. Pitt. It was Mr. Pitt's intention, that parliament should act upon the authority of the report of the privy council, which was presented to both houses, for that purpose; but he

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consented to an examination of the physicians, by a committee of the house of commons, in compliance with the opinion and wishes of Mr. Fox and Mr. Vyner. Mr. Fox's subsequent assertion of the prince of Wales's right, made it necessary that the two houses should declare their sentiments upon that important point, as a preliminary step to every other proceeding; which discusson occupied a fortnight. The second examination of the physicians was then suggested by Mr. Loveden, and supported by Mr. Fox and Mr. Burke, by such arguments, mixed with such insinuations, that Mr. Pitt was induced to yield to this proposal also, that parliament and the public might not be deceived as to the real situation of the king; and this examination was so protracted by the vexatious and perplexing questions of the opposition members of the committee, that it made a difference of ten days, in Mr. Pitt's submitting the restrictions to the house. Much time was afterwards wasted by the persevering and fruitless resistance both to the resolutions and to the bill introduced by Mr. Pitt. The members of opposition, probably, hoped to recommend themselves to the prince, by the sentiments they maintained, and the conduct they pursued; and, relying upon the opinion of Dr. Warren, that his majesty's recovery, for some time at least was highly improbable*; they considered the appointment

* The implicit confidence of Mr. Fox and his party, in Dr. Warren's judgment, which was unquestionably the cause of their disappointment, was the more surprising, as he had himself acknowledged in his first examination, that in cases similar to that of his majesty, it had been his constant practice to call in the assistance of those professional gentlemen, who had directed their attention to this particular malady, and generally to leave the patients under their care; and Dr. Willis, whose experience and skill were well known, had both publicly and

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of a regency as certain and inevitable, and a short postponement of it as a matter of no real importance. Had not these successive delays been interposed by Mr. Fox and his friends, the regency must have taken place; and what might have been the consequence of that event, either with respect to the recovery of the king, or to the interests of the public, must be left to conjecture.

privately declared his conviction, that his majesty's illness would not be of long continuance. The opinions of Dr. Warren and Dr. Willis, respecting the king's recovery, were as opposite to each other, as the sentiments of Mr. Fox and Mr. Pitt, relative to the rights of the prince of Wales, and the medical enmity as great as the political.

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CHAPTER THE ELEVENTH:

1789.

Navy and Ordnance Estimates—Repeal of the Shop Tax—Budget—Excise of Tobacco—Petition from Mr. Hastings—Motion for the repeal of the Corporation and Test Acts—Slave Trade—Increase of the Capital of the East India Company—Prorogation of Parliament.

HAVING in the preceding chapter detailed all the parliamentary proceedings, relative to his majesty's illness and recovery, I shall now give an account of the other business of this session, which will not occupy much space.

THE navy estimates contained a proposal for 2,000 more seamen than were employed in the former year, and that circumstance caused a short conversation. Mr. Pitt, in explanation, said, that of these additional seamen, 1,300 were wanted for the East Indies, and 700 for the Mediterranean, which augmentations were considered by ministers as necessary to preserve the country in a proper state of defence; and the house acquiesced.

The ordnance estimates gave rise to a longer debate. When an increase of troops, to be stationed in the West Indies, was voted in the last year, Mr. Pitt apprized the house, that some additional fortifications, which would probably cost about 200,000*l.* would be requisite in those islands. Of that sum, 36,000*l.* were included in the estimates of the present year; and this expence was objected to as useless. The proposal for these new forti-

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fications was defended upon the ground, that citadels and places of strength were indispensably necessary to enable the soldiers, in case any island was attacked, to hold out, till a fleet should come to their assistance. In support of this argument, it was observed, that the West Indian islands might easily be protected by fortifications, as they contained very few landing places, the trade winds, which blew so violently in those seas, making one side of the island inaccessible, and the coasts being in general rocky and dangerous; that in the war before the last, Martinique, with 800 men, strongly garrisoned, had held out nearly a twelvemonth against 15,000 English troops; that in the last war, Dominica was taken by the French, merely because the military had not a fortress to retire to, till the fleet could afford them relief; that we lost several other islands from a similar want of fortifications; that during peace the present establishment of soldiers would be sufficient; that in time of war a smaller number, with fortifications, would be more serviceable than a much greater without; and that this important advantage might be procured for six of our islands, at the moderate expence which had been mentioned last year. This reasoning was so satisfactory to the house, that notwithstanding the prejudice against fortifications, the estimates were voted without any division.

THE shop tax had been extremely unpopular from its first imposition, in 1785; and the shop keepers of London and Westminster, and Southwark, by whom it was most severely felt*, had every year presented petitions against it, to the house of

* London and Westminster paid more than three-fourths of the whole produce of this tax.

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commons. Mr. Fox had as regularly every session moved for the repeal of this obnoxious tax, which had hitherto been successfully resisted by Mr. Pitt, though he was not, upon those occasions, supported by his usual large majorities. Mr. Fox, on the second of April, brought forward his annual motion, which was seconded by Mr. H. Thornton, one of the members for Southwark, and supported by lord John Townshend, Mr. Fox's colleague for Westminster, and by several other members for large towns, who had received instructions for that purpose from their constituents. Mr. Pitt said, that he had constantly opposed the same motion in former years, on the ground that the tax would not fall upon the shopkeeper, but be paid, in the end, by the consumer; and that as far as argument was concerned, separately from experience, his mind was not satisfied, that the retail dealers could not find some mode of indemnification. He acknowledged, however, that the positive and uniform assertion of the shopkeepers, who had acquired experience upon the subject, denied the truth of his opinion; and their perseverance in that assertion, for so long a time, strongly inclined him to believe, that they had in reality not been able to reimburse themselves, by any additional charge upon goods sold to their customers. He farther admitted, that theory and reasoning ought not to prevail against practice; and he was, he owned, the more ready to make these concessions, because the objections and complaints were not confined to any particular class of shopkeepers, but were urged by the shopkeepers in general of every considerable town, without reference to political party or prejudice of any sort. For these reasons, though he considered it to be his duty generally to resist any

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attempt to decrease the revenue, by the repeal of taxes objected to by the persons most affected by them, yet in the present instance, he thought it no longer proper to oppose his own sentiments, resting on theory, to the universal concurrence and earnest application of a numerous and respectable description of men, whose opinions were founded upon fact; and, therefore, he should not resist the motion, but give it his hearty consent.

The preamble of the bill for the repeal of this tax, as brought in by Mr. Fox, stated, that the tax had been found to be partial and oppressive, and contrary to the just principles of taxation. These words were objected to by Mr. Pitt; and upon his motion, and with Mr. Fox's acquiescence, they were omitted, and others substituted, simply stating, that it was expedient to repeal the tax. The bill passed without any opposition.

In opening the budget on the 10th of June, Mr. Pitt remarked, that notwithstanding it might be necessary for him, at the time he submitted to the committee an account of the national income and expenditure, to bring forward a large demand for the ensuing year, above the ordinary amount of what might have been expected as a peace establishment, and to have recourse to extraordinary means for providing for that demand, yet he had no doubt, that a fair review of the revenue, and of the circumstances which had occasioned this call upon the public purse, would confirm all that he had ever asserted of the improving state of the country; and instead of weakening, would corroborate, the expectations, which had been held out to the house, three years ago, in the report of the finance com-

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mittee. He then enumerated all the particulars of the supply, which together amounted to 5,730,000 *l.* exclusive of exchequer bills, renewed from year to year, but including 191,000 *l.* lent to the Dutch government, to be repaid by instalments, with interest. The ways and means, by which this sum was proposed to be raised, were, the land and malt taxes taken at 2,750,000 *l.*, the growing produce of the consolidated fund estimated at 1,530,000, the profits of a lottery 271,000 *l.*, a loan of one million, and 187,000 *l.*, to be raised by short annuities, making together 5,738,000 *l.* That no permanent addition might be made to the national debt, he proposed to borrow the million by a tontine, or life annuities, with benefit of survivorship, which would of course in time cease; and he intended to annex this condition, which was obviously favorable to the public, that more than 1,000 *l.* a year should never be received for a subscription of 100 *l.** Besides these tontine annuities, which he calculated at about 44,750 *l.*, he had to provide for the defalcation in the revenue, caused by the repeal of the shop tax, which in the last year had produced 56,000 *l.* These two sums together amounted to rather more than 100,000 *l.*†; which he proposed to raise, not by taxing any

* This condition was to guard against extreme old age in any one of the lives; and the propriety of it was evident from what happened in France, with respect to a tontine established by Louis the 14th: A woman, who lived to the age of 96, in the last year of her life, received 3,600 *l.* for an original subscription of only 30 *l.*

† It was not necessary to provide for the short annuities, which were to last only 18¾ years, and would not amount to 14,000 *l.* as that charge would be answered by the payments from the Dutch government. The subscribers to these annuities were to receive 7 *l.* 9 *s.* 9 *d.* a year for every 100 *l.* which Mr. Pitt stated to be a very good bargain for the public.

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new commodity, but by small additions to the existing taxes upon newspapers, advertisements, cards, dice, probates of wills, legacies to collateral relations, carriages, and horses, none of which would, he conceived, press upon the poor, or necessarily even upon persons of narrow income.

Having explained the services of the current year, and his intention to provide for them, by a mode which contained in it the principle of self-reduction, without burdening the sinking fund, he took a general view of the present state of the revenue.

The produce of the taxes, in 1788, had fallen short of their produce in 1787, by 300,000*l.* which was accounted for by the great exportation in 1787, in consequence of the suspension of trade in 1786, while the commercial treaty with France was depending, and by considerable balances accidentally remaining due from the assessed taxes of last year. The average produce of these two years was 15,578,000*l.* which exceeded the estimate of the finance committee, by nearly 100,000*l.* From 1786 there had been no loan, till the present year, and it was now proposed to borrow a million, to which was to be added an increase in the navy debt, of about 500,000*l.*; but on the other hand, within the same period, unforeseen expences, the particulars of which he enumerated, to an equal or rather greater amount than those two sums, had arisen, and been defrayed out of the consolidated fund. Had not, therefore, these expences taken place, no loan would have been necessary, and the additional navy debt would not have been incurred; nor would any substitute for the shop tax have been required. Under these circumstances, he might congratulate himself and

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the country, that the hopes, which he had entertained, were well founded; and that the calculations of the committee had been verified to a degree of accuracy scarcely to be expected.

After observations from several members, 18 resolutions, moved by Mr. Pitt, were agreed to; and the bills founded upon them passed both houses.

THE only other financial measure of importance, brought forward by Mr. Pitt, in the present session, was, an alteration in the mode of collecting the tax upon tobacco. The article of tobacco was, he said, a considerable object of revenue; but as the duty was now paid, the frauds committed upon it were so great, that, since the regulations with regard to tea, wines, and spirits, had taken place, it might justly be denominated the staple of smuggling. The very large amount of duty upon the article, when compared with its original cost*, held out a strong temptation to the smuggler; and the following statement would shew, that in fact it was carried on to an extent, which operated very materially to the detriment of the revenue, and to the equal injury of the fair trader. According to the lowest computation, 12 millions of pounds of tobacco were annually consumed in this kingdom; and the average of the legal importation being only seven millions, it followed, that five millions were smuggled, which caused a loss to the revenue of nearly 300,000*l.* a year. Under these circumstances, Mr. Pitt said, he thought it incumbent upon him to propose, as the most probable means of putting an end to this contraband

* The duty was 14*d.* and the original cost 2*d.* or 3*d.* a pound.

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and mischievous traffic, that the greater part of the duty should be transferred from the customs to the excise, and of course that the manufacturers of tobacco should be subjected to the survey of the exciseman.

Anticipating the opposition which might be made to this measure, by the dealers in tobacco, he reminded the house, that when the alteration of the duties upon wine was under consideration of parliament, the wine merchants had roundly and confidently declared at the bar, that it would be impossible for the trade to be carried on under the excise survey. The house, however, not giving implicit credit to these assertions, tried the experiment, and the result has been, that the trade has considerably increased.

Mr. Pitt moved 25 resolutions, all of which passed without any observation; and, a few days afterwards, he presented a bill founded on them.

The manufacturers, and others, concerned in the tobacco trade, presented petitions against the bill; and several members of the house expressed their disapprobation of this extension of the excise system. The principal objections of the former, were obviated by modifications introduced in the committee; and the general objection of the latter was answered, by observing, that the proposed measure would put only a small additional number of persons under the excise*, a system which had been resorted to upon numerous successive occasions, in the best periods of our history, and which

* Most of the dealers in tobacco were already under the excise, on account of other articles in which they dealt.

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had now existed for a long series of years, without the smallest injury to our liberty, or the constitution, and without any public inconvenience. The bill passed both houses.

On the 27th of April, major Scott presented a petition to the house of commons from Mr. Hastings, complaining, that the managers, in carrying on the impeachment against him before the house of lords, had, in their speeches last year, introduced a variety of matter wholly unconnected with the charges, and containing allegations, which he recited, of a far more criminal nature.—That, as a more recent instance, Mr. Burke, in opening the charge relative to presents, on the 21st of this month, had expressly asserted, that Mr. Hastings had murdered Nundcomar by the hands of sir Elijah Impey; that the managers, and Mr. Burke in particular, had repeatedly declared, that they spoke by instructions from that house whose representatives they were, and that they should affirm nothing which they were not able and willing to prove; and, therefore, Mr. Hastings, appealing to the justice of the house, prayed, that the said accusation might be formed into specific articles, in order to give him an opportunity of vindicating his innocence; or that such other redress might be afforded him, as to the house should seem meet.

This petition gave rise to several debates, in which both the professed friends and enemies of Mr. Hastings, spoke with great heat and violence. Major Scott asserted, that Mr. Burke had been guilty of cool, deliberate, systematic, and intentional misrepresentation, in imputing to Mr. Hastings the most atrocious crimes, of which he (Mr. Burke) knew him to be

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innocent; and, in return, Mr. Burke said, that major Scott was a libeller of the house of commons, from which he ought to have been expelled long since, and that no credit was due to his assertions. The speaker was repeatedly under the necessity of interposing, to put a stop to these and similar personalities.

It was urged in argument against this petition, that it would have a very bad tendency, if an accused person were allowed to arraign the conduct of his prosecutors, and in his turn become an accuser; that, to listen to an application of this kind, would be inconsistent with the confidence reposed by the house in the managers; and farther, that it would weaken the authority of the house in the exercise of its inquisitorial rights. It was also asserted, that the real object of the petition, and of the personal reproaches with which it was accompanied, was to discredit and disgust the managers, so as to cause them to abandon the prosecution; and it was insinuated, that every one, who favored Mr. Hastings upon this occasion, would expose himself to the suspicion of acting from the same motive.

On the other hand, Mr. Pitt contended, that it was utterly unjustifiable in the managers to bring forward accusations against Mr. Hastings, not contained in the articles of impeachment, and which therefore they could have no direction from the house to state, especially if the unauthorized accusations, as in the present case, implied more heinous criminality than the charges themselves.—That the house did not mean Mr. Hastings should be accused of murder, because they had voted that he should be impeached of bribery and peculation; that the

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charges were definite; and that the managers were bound to confine themselves to substantiate the facts to which they referred, without digressing into extraneous and irrelevant subjects, merely for the purpose of prejudicing the court, and injuring the character of the accused; that some circumstances might with propriety be dwelt upon, as matters of aggravation, but that it was contrary to common sense, and to the practice of all criminal courts, to allow felony to be mentioned as an aggravation of a misdemeanor; that if the accused person were really suspected of murder, or of any other felony, it ought to be made a substantive charge, and not urged incidentally and collaterally, when he was under trial for a different offence; that there was no reason, why an accused person should be debarred of the right, which was common to every subject of the realm, of submitting to the consideration of that house any grievance, under which he conceived himself to labor, and which the house had the means of redressing; that though the house had confided the prosecution to the managers, yet they had not given them absolute and unlimited powers; and that there must be cases, in which it would be proper to inquire into their conduct. He thought, however, that the house ought not to take cognizance of words spoken by the managers in the last session, as Mr. Hastings, if he had considered himself aggrieved by any expressions then used, should have applied to the house for its protection, long before this time: he was therefore of opinion, that the inquiry should be confined to Mr. Burke's allegation a few days since, of which Mr. Hastings had taken the earliest opportunity to complain, namely, that Mr. Hastings had murdered Nundcomar by the

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hands of sir Elijah Impey. Upon this subject, it was, he said, to be recollected, that the house had, after a full investigation, refused to impeach sir Elijah Impey, who was said to have been the principal in the murder, as it was denominated by Mr. Burke, which was a strong presumption, that they would not have consented to make this an article of impeachment against Mr. Hastings as an accomplice; the house having deliberately declared, that there was no ground for a criminal accusation against the judge, who had presided at the trial and pronounced the sentence in question, surely they could not have considered any guilt to be attached to the person, under whose influence he was supposed to have acted, but of which no proof had been adduced. Upon the whole, the words appeared to him highly unbecoming, and demanding the censure of the house, which, however, he did not wish to go farther than was necessary for the purpose of doing that justice to Mr. Hastings, to which he thought him, although deservedly under prosecution, fully entitled, and of preventing similar improprieties in future. He concluded one of his speeches upon this subject, by observing, that as on the one hand, he would give to the managers every fair and honorable support, so on the other, there was no species of insinuation, suspicion, or clamor, which should ever make him refuse to the criminal, that fairness of trial, and that consideration of any cruelties or hardships in his case, which were due to him on sound principles of equity and impartial justice; hoping to shew himself throughout, both zealous in prosecuting one, whom he thought a public delinquent, and at the same time equally zealous for the honor and character of the house of commons. It was not

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difficult, he trusted, to unite these two principles; for he verily believed, that there were no better means of forwarding the success of the prosecution, than by discountenancing every thing unfair, and by testifying to the world the goodness of their cause, by the rectitude of their proceedings.

As a termination to this dispute, which had occupied four days, and in which several preliminary questions had been discussed, lord Graham, one of the lords of the treasury, moved, "That no direction or authority was given by this house to the committee appointed to manage the impeachment against Warren Hastings, esq. to make any charge or allegation against the said Warren Hastings, esq. respecting the condemnation or execution of Nundcomar; and that the words of the right honorable Edmund Burke, one of the said managers, viz. 'he (meaning Warren Hastings, esq.) murdered that man (meaning Nundcomar) by the hands of sir Elijah Impey,' ought not to have been spoken." This motion, supported by Mr. Pitt, and eagerly opposed by Mr. Fox, and the other managers, was carried by a majority of 155 to 66. This division is a proof that the house strongly disapproved that rancorous violence, with which the managers carried on the prosecution against Mr. Hastings.

Mr. Beaufoy, on the 8th of May, repeated his motion for the repeal of the corporation and test acts; and Mr. Pitt opposed it on the same grounds as in the year 1787. In reply to Mr. Fox, who had asserted, that it was unjust to infer the future conduct of men, from the speculative opinions they entertained, he said, that government had a right to prevent

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any civil inconvenience, which such opinions were likely to produce, without waiting, till by their being carried into action, the inconvenience had actually been experienced. He considered the established church as a part of the constitution of the country, and the acts in question as justifiable on the principle of self-defence. They had now existed for above a century, and had ever been looked upon as the props and bulwarks of the constitution. He spoke of the great quiet which obtained at present, relative to religious differences; and said, that if any thing could interrupt the harmony and moderation which subsisted between sects, once contending with great virulence and asperity, it would be by awakening a competition, and rekindling the sparks of antient animosity, which mutual forbearance had almost extinguished. The motion was negatived by a majority of only 20, the numbers being 122 and 102.

THE report of the committee of privy council appointed to inquire into the circumstances of the slave trade, which had been promised by Mr. Pitt in the last session, was presented by him on the 25th of April; and, on the 12th of May, Mr. Wilberforce brought the subject before the house of commons, in a most eloquent and impressive speech, in which he entered very fully into the inhumanity and impolicy of that disgraceful and infamous traffic. He began by avowing, that the end of what he intended to propose, was, the total abolition of the slave trade. He should not, he said, appeal to the passions of the house, but to their cool and impartial reason; he wished gentlemen to deliberate, point by point, upon every part of the question; he took shame to himself, in common

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with the whole parliament of Great Britain, for having suffered this horrid trade to be carried on under their authority.

He proceeded to state, that it appeared from the report of the privy council, that the kings of Africa were never compelled to war, as far as could be ascertained, by public principles, or by national glory, and still less by the love of their people, but by avarice and sensuality;—upon these vices the slave trade depended for its maintenance. Does the king of Barbessin want brandy? He has only to send his troops in the night to burn and desolate a village, and the captives will serve as commodities to be bartered with the British trader. He mentioned an instance of two towns, formerly hostile to each other, which had settled their differences, and by intermarriages between the families of their chiefs, had pledged themselves to peace: but the trade in slaves was prejudiced by such a pacification; and it became, therefore, the interest of our traders, that hostilities should be renewed. This their policy was soon put in practice; and for the scene of treachery and violence which followed, he would refer gentlemen to the report, to which he had before alluded. Most of the persons who had given evidence before the council, admitted that the slave trade was the chief cause of wars in Africa; and it was to be remembered, that this was proved by witnesses, who had seen the battles, who had been told by the kings themselves, that it was for the sake of slaves they went to war, and who had conversed with a variety of prisoners, taken by these means. Some of these prisoners were brought from immense distances, and were transferred like cattle from hand to hand, till they reached the coast, where they were sold for the cultivation of

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our West Indian colonies. It was, indeed, established by the most abundant testimony, that the slave trade had the effect, in Africa, of carrying misery, devastation, and ruin, wherever its baneful influence extended.

Mr. Wilberforce next spoke of the conveyance of the slaves to the West Indies, which he considered as the most wretched part of the whole subject. So much misery condensed in so little space, was more than the human imagination had ever before conceived. He called upon his hearers to picture to themselves, six or seven hundred of these victims in the same vessel, chained two and two, fed upon horse beans with a scanty allowance of water, surrounded with every object which was nauseous and disgusting, diseased and struggling with all the varieties of wretchedness; and stowed so close together, that the surgeons had declared there was no room to tread between them. "Upon this point, I will," said Mr. Wilberforce, "call the attention of the house to one species of testimony, which is absolutely infallible. Death at least is a sure ground of evidence, and the proportion of deaths will not only confirm, but, if possible, will even aggravate our suspicion of the misery of the slaves in the transit. It will be found, upon an average of all the ships, of which an account has been given at the privy council, that exclusive of those who perish before they sail, not less than twelve and a half out of every hundred perish in the passage. Besides these, the Jamaica report tells you, that not less than four and a half out of every hundred die on shore before the day of sale, which is only a week or two from the time of landing. One third more die in the seasoning, and from the effect of diseases contracted

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on shipboard. All these causes produced a mortality of about fifty out of every hundred; and this among negroes, who are not bought, unless quite healthy at first, and unless, as the phrase is with cattle, they are "sound in wind and limb."

Mr. Wilberforce added, that as soon as he had advanced thus far in his investigation, he felt the wickedness of the slave trade to be so enormous, so dreadful, and so irremediable, that he could stop at no alternative short of its abolition. A trade founded in iniquity, and carried on with such circumstances of horror, must be abolished, let its policy be what it might; and he had from this time determined, whatever might be the consequences, that he would never rest, till he had effected that abolition. His mind had, indeed, been harassed with the objections of the West India planters, who had asserted, that such a measure must be followed by the absolute ruin of their property. He could not, however, help distrusting their arguments. He could not believe, that the Almighty Being, who forbade the practice of rapine and bloodshed, had made rapine and bloodshed necessary to the well-being of any part of his universe. He felt a confidence in that persuasion, and took the resolution to act upon it. Light, indeed, soon broke in upon him; the suspicion of his mind was every day confirmed by increasing information; and he was enabled to prove, by conclusive argument, and incontrovertible evidence, that the number of negroes in our colonies might be kept up, without the introduction of recruits from Africa; and, consequently, that those who were interested in the property, or engaged in the commerce of the West Indies, had nothing to fear from the abolition of the slave trade.

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He then shewed, that the mortality and want of increase among the slaves, proceeded from the hardships and cruelties which they suffered; and observed, that the abolition must be followed by milder treatment, as the only means of rendering them prolific, and of procuring a supply. He asserted, as a fact which could be established, that already several individuals, by good usage, and proper attention to the health, and morals, and diet of their slaves, had kept up their stock without any new purchases.

It was urged, he said, by the advocates of the slave trade, that it was now the interest of the traders and planters to treat their slaves with humanity and kindness; but he desired to remark, that it was immediate and present, not future and distant, interest, which was the great spring of action in the affairs of mankind. Why did we make laws to punish men? It was their interest to be upright and virtuous. But there was a present impulse, continually breaking in upon their better judgment; an impulse, which was known to be contrary to their permanent advantage. It was ridiculous to say, that men would be bound by their interest, when under the influence of instant gain or ardent passion. In some respects self-interest and humanity will go together; but unhappily, through the whole progress of the slave trade, the very converse of that principle was continually occurring.

Mr. Wilberforce adverted to other objections, which had been made to this proposal: It was absurd, he said, to suppose, that Liverpool would be ruined by the abolition, or that it would feel the difference very sensibly, since only 1-15th of the whole outward-bound tonnage of that port was engaged in

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the slave trade; and indeed he was inclined to think, that in the aggregate the slave trade was a losing trade, although large fortunes were occasionally made by it: it was a sort of lottery, kept alive by the spirit of speculation and adventure. Our fisheries, and other trading concerns, would furnish so many innocent and bloodless ways of employing our shipping now used in the slave trade, that no mischief was to be feared on that account.

As to our marine, it was certain, that the slave trade, instead of being a nursery for our sailors, was in reality their grave. A comparison had with great industry and care been formed between the muster rolls of the slave ships, and those of the vessels employed in the other branches of our commerce; and it had been found, that more sailors died in one year in the slave trade, than in two years in all our other trades pu together. Of 3,170 seamen, who had sailed from Liverpool to Africa in 1787, only 1,428 had returned.

Another objection was, that if we relinquished the slave trade, it would be taken up by the French: we should become the sufferers, and the evil would remain in its utmost extent. This was indeed a very weak and sophistical argument; and if it would defend the slave trade, it might equally be urged in favor of robbery, murder, and every species of wickedness, which, if we did not practise, others would probably commit. He did not, however, believe, that there was any foundation for this objection, as both the French king and his minister had lately declared their abhorrence of the slave trade.

"I believe," said Mr. Wilberforce, at the conclusion of his speech, "I have now touched upon all the objections of any

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CHAP. XI. 1789.

consequence, which are made to the abolition of the slave trade. When we consider the vastness of the continent of Africa; when we reflect, that all other countries have for some centuries been advancing in happiness and civilization; when we recollect, that in this same period, all improvement in Africa has been defeated by her intercourse with Britain; when we reflect, that it is we ourselves who have degraded her inhabitants to that wretched brutishness and barbarity, which we now plead as the justification of our guilt; that the slave trade has enslaved their minds, blackened their character, and sunk them to a scale scarcely above irrational beings, what mortification must we feel at having so long neglected to think of our criminality, or to attempt any reparation? Let us then make such amends as we can, for the mischief we have done to that unhappy continent. Let us put an end at once to this inhuman traffic. Let us stop this effusion of human blood. The true way to virtue is, by avoiding temptation: let us therefore withdraw from these wretched Africans, those temptations to fraud, violence, cruelty, and injustice, which the slave trade furnishes. Wherever the sun shines, let us go round the world with him, diffusing our beneficence; but let us not traffic, only that we may set kings against their subjects, and subjects against their kings; sowing discord in every village, fear and terror in every family, setting millions of our fellow-creatures to hunt each other for slaves, creating fairs and markets for human flesh, through one whole continent of the world; and, under the name of policy, concealing from ourselves all the baseness and iniquity of such a traffic."

"The nature, and all the circumstances of this trade, are

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now laid open to us; we can no longer plead ignorance; we cannot evade it; it is now an object placed before us; we cannot pass it; we may spurn it, we may kick it out of the way; but we cannot turn aside, so as to avoid seeing it: for it is brought now so directly before our eyes, that this house must decide; and must justify to all the world, and to their own consciences, the rectitude of the grounds and principles of their decision."

Mr. Wilberforce moved twelve resolutions, stating the number of slaves annually carried from Africa, and the number imported into the British West Indies; the causes of slavery in Africa; the effects of the slave trade upon its inhabitants; the practicability of establishing an extensive and valuable commerce of a different kind with that continent; the mortality of the British seamen employed in the slave trade; the mortality of the negroes, both in the middle passage, and in the West Indies; the causes which have impeded the natural increase of population among the slaves in the islands; the diminution of deaths since the slaves were better treated: And the last resolution concluded with this sentence, as an inference from several of the preceding ones, "it appears that no considerable or permanent inconvenience would result from discontinuing the farther importation of African slaves."

He said, that he did not wish the house to decide upon the resolutions that night, but should consider the debate as adjourned to some day in the following week.

Mr. Burke declared, that, in his opinion, not merely the British nation, but all Europe, was under very great and serious obligation to Mr. Wilberforce, for exposing the iniquity

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of a trade, " begun with savage war, prosecuted with unheard of cruelty, continued during the middle passage with the most loathsome imprisonment, and ending in perpetual exile and unremitting slavery."

Mr. Pitt expressed the warmest approbation of the sentiments of his honorable friend, and returned him his sincere thanks, for the manner in which he had brought the subject before the house, not merely in regard to the masterly, forcible, and perspicuous method of argument, which he had pursued respecting it, but particularly, for having chosen the only way in which it could be made obvious to the world, that they were warranted on every ground of fact and of reason, in coming to that vote, which he hoped would be the end of their proceedings. As to the mode by which the abolition of the slave trade was to be carried into effect, they were not at present called upon to discuss it; but, he trusted, it would not be found the means of inviting foreign powers to supply our islands with slaves, by a clandestine trade. When once the house shall be convinced, that the trade ought to be abolished, they would not be deterred by any fears of other nations being tempted by the profit resulting from a commerce, which, upon the grounds of humanity and national honor, they had relinquished, to carry it on in an illicit manner. Should that be the case, the language must be, that Great Britain had resources to enable her to protect her islands, and prevent that traffic being clandestinely carried on with them, which she had thought fit, for her own credit and character, to abandon. It was their duty, and it should be their ambition, to take the lead in a business of such extensive importance, and of so much

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national credit; and foreign nations might be prevailed upon to concur with them, either by negotiation immediately to be commenced, or by the effect which the propositions being put upon the journals would, in all probability, produce.

Mr. Fox applauded Mr. Wilberforce for professing to do, what certainly ought to be done, to completely abolish the traffic in slaves, a traffic, for continuing which, no plea of policy or of necessity could be urged. With regard to a regulation of the slave trade, his detestation of its existence must naturally lead him to remark, that he knew not of such a thing as a regulation of robbery, or a restriction of murder. He had risen, he said, principally to notice what had fallen from the right honorable gentleman (Mr. Pitt,) respecting the probability of foreign nations taking up the trade, on our abandoning it, and clandestinely supplying our West Indian islands with slaves. He had intended to say the same thing, because he was convinced, that it was the fit tone to be holden upon such a subject; and that foreign nations should be given to understand, that when this country thought proper to abolish the slave trade, we possessed the means of preventing that trade being carried on in any manner with our colonies. A trade in human flesh was so revolting, that it was in the last degree infamous to suffer it to exist, under the authority of the government of any country. He thought it, however, likely, that the great and enlightened nation of France, our grand political rival, would catch a spark from the light of our fire, and run a race with us in promoting the ends of humanity.

Though the two leaders of the political parties, into which the house of commons was divided, were thus decidedly

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favorable to the abolition of the slave trade, other members expressed a very different opinion; and it was evident from what passed in this, and also on a following day, when the subject was renewed, that the measure would meet with a most serious opposition. Petitions had likewise been presented, both in this and in the last session, against the abolition, not only by those, who were immediately engaged in the trade itself, and in the manufacture of goods for which slaves were exchanged, but by the West Indian merchants and planters, a numerous and powerful body, with very extensive connexions; and there was perhaps at this time scarcely an individual, concerned in the commerce, or interested in the produce, of our sugar colonies, who was not persuaded, that he should suffer materially by the success of Mr. Wilberforce's proposal. Immense, indeed, was the private property in these islands, belonging chiefly to persons resident in this kingdom, many of whom were members of the houses of parliament; and besides he actual owners of these valuable possessions, there was a long list of mortgagees, annuitants, and creditors *, who were all taught to believe, that their securities would be deteriorated by the abolition of the slave trade. However unfounded these widely-spread prejudices and fears might be, and however little attention pecuniary considerations deserved, when opposed by the essential principles of humanity and justice, the friends of the abolition had to contend against the most strenuous exertions of this formidable combination of persons, who,

* Mr. Edwards estimated the whole value of British capital in West Indian property, at 70 millions sterling.—The average value of the annual imports into Great Britain from the West Indies, was estimated at 6,500,000*l.*

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besides maintaining that the statement of Mr. Wilberforce was in all its parts highly exaggerated, and that the real evils attending the slave trade might be removed or greatly mitigated by suitable regulations, to which they should willingly consent, urged the plausible pleas of long-established practice, the express sanction of the British legislature, the loss of commerce to the nation, and the danger and injury of a compulsory introduction of a new system, in the management of private property.

Several members contended, that in a question of this importance, and concerning which such contradictory sentiments prevailed, it would be very improper to rely wholly upon the report of the privy council; and that the house ought to have an opportunity of forming their judgment, from evidence adduced at their own bar. Mr. Pitt, who had from the first declared his readiness to accede to any proposal for farther information, thought this a reasonable expectation; and, accordingly, it was agreed, after some discussion, but without a division, that previously to any other step, counsel should be heard and witnesses examined, in a committee of the whole house, in support, and in compliance with the prayer, of the various petitions which had been presented on both sides. The committee sat from the 27th of May, on every vacant day, till the 23d of June*, when so little progress was made, that a decision was manifestly impossible before the prorogation; and, therefore, the two parties consented, that the farther

* From the intervention of Whitsuntide holidays, and the variety of business now depending in the house of commons, the committee sat only seven days in this interval.

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consideration of the business should be deferred till the next session.

The postponement of the main question induced sir William Dolben to bring in a bill to continue the act of last year, for regulating the transportation of slaves from Africa to the West Indies; which was the more necessary, as the mortality in the middle passage had been proved, by the evidence taken before the privy council, to be considerably greater than sir William Dolben had stated the preceding year, in the house of commons. The new act, which contained some amendments, was to remain in force till August the 1st, 1790; and it passed without any difficulty.

ON the 1st of July, the East India Company presented a petition to the house of commons, praying to be permitted to increase their capital by one million, to be subscribed by the present proprietors of East India stock. The grounds of this application were, the great expences incurred in the late war, and a transfer of a considerable part of the company's debt in India to England. A bill was introduced for the purpose desired, which was supported by ministers, and passed both houses, after a slight opposition.

THOUGH his majesty continued free from any return of mental indisposition, yet his constitution had received so severe a shock, that he recovered his health and strength very slowly*;

* In his letters to Mr. Pitt, during the session of Parliament, he frequently complained of not being well; and it appears that Dr. Willis and his son occasionally visited the king, both at Kew and at Windsor, in April, May, and June,

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and it was thought more prudent, that he should not go in person to put an end to the session. Parliament was therefore prorogued by commission, on the 11th of August; and, upon that occasion, the lord chancellor informed the two houses, that he was commanded by the king to return them his majesty's thanks, for their uniform attention to the public business; and to assure them of the satisfaction he felt from the situation of affairs abroad, which promised to this country the uninterrupted enjoyment of the blessings of peace.

which was not owing to any actual return of the mental disorder, but because they were thought the best judges of the system which ought to be pursued for the entire removal of the effects produced upon his majesty's general health, by his long illness, and perhaps for the prevention of a relapse.

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CHAPTER THE TWELFTH:

1789.

French Revolution—Meeting of Parliament—Mr. Pitt's Finance Measures—Other Proceedings in this Session—Different Sentiments expressed by the leading Members of Opposition, relative to the French Revolution—Prorogation and Dissolution of Parliament—Convention with Spain—Proceedings in France—Hostilities in India.

CHAP. XII.

THE revolution, which, at this period, took place in the government of France, had so much influence upon the public measures of Mr. Pitt, in the latter part of his administration, that it will be indispensably necessary to give a brief statement of the leading circumstances which produced that extraordinary event, and of the principal occurrences by which it was accompanied.

Whatever doubts may have been entertained or professed respecting the primary cause of the French revolution, while the eager contention it excited, blinded the judgment, and prevented calm investigation, a general opinion now prevails, that it originated with a set of men, united for purposes, of which there is no example in the history of mankind. Few of the present day will hesitate to acknowledge, that this scourge of the civilized world may be traced to the secret machinations, and licentious and impious publications, of Voltaire, Rousseau, D'Alembert, and the other founders of what has been denominated the new philosophy, the grand charac-

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teristic of which is, hostility to all established forms both of civil polity and religious worship, to every thing hitherto held virtuous or sacred among mankind, or considered as conducive to their best interests*. The writings of these men contained tenets of the most profligate and dangerous nature in religion, morality, and government; and being calculated to mislead and corrupt readers of every description, gradually affected a most material change, not only in the sentiments of literary and speculative persons, but in the tide of general opinion. This system, which had been carried on for many years, with incredible industry and exertion, was, in some degree, promoted by the equally unwise and unjustifiable policy of the court of France, in sending both military men of distinguished talents, and numerous other emissaries, to foment and aid the discontent and disturbances in the British colonies of America, where they imbibed republican notions, which, after the establishment of peace, they maintained and disseminated in their native country; and it was unfortunately still more assisted by the real abuses existing in the French government, and by the gross corruptions of the national religion, which, when exposed with all the force both of serious argument and poignant ridicule, generated an aversion to every species of regal power, and a disbelief of the whole of revelation. The minds of men being thus prepared to engage in any scheme, which might tend to the subversion of monarchy, and to the extinction of christianity, the embarrassed state of the French finances, and the impolitic conduct of the king's ministers,

* Some who will not allow, that what is here stated can properly be called the actual origin of the French revolution, admit, that it was a strong predisposing cause.

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afforded an opportunity of bringing into action those principles, which have produced the most bitter fruits, and have scattered seeds of infidelity, anarchy, and misery, which, it is to be feared, will not soon be eradicated from the world.

The public debt of France was very large, and her revenue by no means in a flourishing condition, at the time she commenced hostilities with this country in 1778; and the expences of that war, by adding considerably to her debt*, involved her in great pecuniary difficulties. M. de Calonne was appointed comptroller general of the finances, towards the end of 1783; and, though it was then time of profound peace, and though he immediately introduced a variety of regulations for the improvement of the revenue, and the diminution of the expenditure, he was under the necessity of having recourse to loans in that and in the two following years. The loan of 1785 amounted to between three and four millions sterling, and the parliament of Paris, upon being required by the king to register the edict for raising that sum, repeatedly remonstrated against it, in terms very different from any language which they or their predecessors had ever addressed to their sovereign. At length, his majesty peremptorily commanded them to obey, without farther hesitation, and the edict was registered; but it was accompanied with a resolution, reflecting so offensively upon the measures of government, that the king ordered it to be expunged from their journals, with a severe reprimand for presuming to express an opinion upon subjects, in which they had no right to interfere.

The difficulties attending this transaction, and the temper

* It was said that this war added about fifty millions sterling to the national debt of France.

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and disposition exhibited by the parliament of Paris, convinced M. de Calonne, that something more than the ordinary authority of the king and his ministers, would be requisite for the establishment of those radical reforms in the system of finance, without which it would be in vain to expect, that the income of the country could ever be made equal to its current expences, and to the interest of the national debt.

France, like the other feudal kingdoms of Europe, had originally its states general, in whom was vested the legislative power, and without whose concurrence no subsidy could be levied. In process of time, the kings of France, by successive encroachments on the liberties of the people, and the privileges of the barons, and by maintaining a large military force, acquired absolute power; and ceasing to call together the states general, exercised, in their sole capacity, the right of making laws, whether relating to taxation, or to any other public concern, which were sent to the parliament of Paris, to be registered, merely for the purpose of giving them authentic promulgation, before they were put in force.

The parliament of Paris, totally differing from that of England, was, by its original constitution a court of justice only; and several of the provinces, having been separate principalities before they were united to the crown of France, had each its own parliament, which was confined to a similar jurisdiction. The members of these parliaments were at first appointed and removed at the pleasure of the king; but the seats, from the distress or the corruption of government, being afterwards sold, were understood to be granted for life, as it would have been extremely unjust arbitrarily to dismiss a person from

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a situation, which he had purchased. For a considerable period, the parliaments registered the laws, or royal edicts, without inquiry or observation; but when they looked upon themselves as in a great measure independent of the crown, in consequence of holding their places for life, they assumed to themselves a right of judging of the propriety or expediency of the edicts. If parliament considered, that any edict would be injurious to the public, they declined to register it; stating their objections, and pretending, by a sort of legal fiction, and out of respect for royal authority, that it could not be the real act of the king, but was a mere imposition of his ministers. In weak administrations, or under other favorable circumstances, this opposition was frequently successful, and the edict was given up by the court. But if the governing power was firm and determined, the parliament submitted, or the king had recourse to what was called a bed of justice; that is, he went in person, having given previous notice of his intention, attended by the great officers of state, to authenticate and confirm his own deed before the parliament; and as all debate was precluded by his presence, he had nothing farther to do, than to order the edict to be registered, which was instantly done; and it became the undisputed law of the land.

The parliament, being the only check to the arbitrary power of the monarch, stood high in the public estimation; and gradually advancing in weight and authority, at length ventured to interfere in the religious disputes, which prevailed in France, under the reign of Louis the fifteenth; and even refused to register several of his money edicts. After various contests and altercations, the king, towards the close of his life, banished

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the parliament of Paris, and likewise several provincial parliaments, who had displeased him by the same refractory conduct. Louis the sixteenth, upon his accession to the throne in 1774, restored all the banished parliaments, and experienced very little trouble or inconvenience from them, till the parliament of Paris shewed a reluctance to register the edict for the loan of 1785, in the manner which has been related; and we shall see, that the resistance of this and of the other parliaments to the authority of the king, aided by the feeble and imprudent conduct on the part of government, contributed, in no small degree, to those scenes of turbulence and confusion which soon afterwards followed.

It had been the practice in former times, though not a frequent one, for the kings of France, upon great emergencies, and when the states general were not sitting, to call together a certain number of their subjects, distinguished by rank and character, who were, therefore, when thus assembled, known by the name of the notables*. This convention possessed no legislative power; they were only a temporary council of state, whose office it was to deliver their sentiments upon any plans communicated to them, by command of the king, and to offer to his majesty such advice as the public welfare might appear to them to demand. No meeting, however, of this kind, had been holden since the year 1626; but the present situation of the country induced M. de Calonne to recommend to his majesty to call an assembly of the notables, with the hope of obtaining their sanction to the projects, which he had in con-

* The president Henault, mentions only four meetings of the notables, namely, in 1558, 1596, 1617, and 1626.

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templation. Accordingly, on the 29th of December 1786, summonses were issued to 144 persons, seven of whom were princes of the blood, and the rest peers, nobles, heads of the church, law, and army, ministers of the crown, deputies of the pays d'états, and magistrates of the principal towns in different parts of the kingdom.

The attention of all classes of the community was fixed upon this meeting; and, at Paris more especially, the probable result of its deliberations was the prevalent topic of conversation. The inhabitants of the metropolis now displayed a spirit of inquiry, and a freedom in discussing political subjects, hitherto unknown in that country. The unequal manner in which taxes were paid in the different provinces of the kingdom, the exemption of the clergy, nobles, and magistrates, from various species of taxation, the oppressive rigor with which taxes were collected from the middle and lower classes of society, and the excessive peculation and lavish waste of the public money, were loudly complained of, as requiring immediate redress; and, it is unquestionably true, that these and other defects and abuses in the present government gave great advantage to the disaffected and ill-disposed, and procured for them, in the beginning of the struggle, the concurrence and support of many persons, who considered themselves as contending only for a moderate reform, and were not aware of the ultimate designs of those, under whose banners they had enlisted, and whose views they in fact unintentionally promoted.

After a formal opening of the assembly of the notables at Versailles, in a speech from the king, on the 22nd of February,

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1787, M. de Calonne entered into a long detail of the financial state of the country, which he represented to be embarrassed and distressed beyond the common remedy of additional taxes upon the present system; those classes of the community, he said, upon whom the weight of the public assessments principally fell, were already oppressed by burdens, which would admit of no increase; and, although every practicable retrenchment had been made, and all possible economy introduced, the expenditure of the nation exceeded its income by four millions sterling; and he added, that at the present moment, there were the most pressing demands upon the treasury, which it was utterly unable to satisfy. He then submitted to the consideration of the assembly several measures, the two most material of which were, the establishment of a general and equal territorial impost or land-tax, in lieu of the partial one which then existed, and an equalization of the public burdens, by annihilating all exemptions, and by making every class and every individual of the community alike subject to the payment of taxes. These proposals seem to have been founded in reason and equity, and had they been approved and adopted, would probably have answered their intended purpose. But, unfortunately, the assembly of the notables was composed almost entirely of privileged persons, who would have suffered by these regulations, and who did not possess the public spirit to prefer the national welfare to their own private interest.

The proposed measures were on this account, extremely ill received by the notables; and from the same cause, when made public, they were severely reprobated by the numerous orders

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of the nobility, clergy, and magistrates*, throughout the kingdom, who, by their influence and misrepresentation, contrived to render them odious even to the bulk of the people, to whose relief they would unquestionably have contributed. So universal and violent a clamor was raised against the minister, that the king was induced to dismiss him from his office, early in April; and about a month afterwards, some temporary appointments intervening, the archbishop of Toulouse, who had been one of the most determined opponents of M. de Calonne, in the assembly of the notables, was placed at the head of the finances.

The notables continued to sit, and the proposal of a general and equal land-tax was repeatedly discussed. Besides the opposition of particular and individual interests, it was objected to as a direct infraction of the rights of whole provinces, and a violation of the original capitularies, which they had entered into with the crown, for the preservation of their antient immunities, and on the faith of which they became members of the kingdom. Upon this subject, the attorney general of Provence was bold enough to declare, that neither that assembly, nor the parliament, nor the king himself, could charge any such impost on the province to which he belonged, it being fundamentally contrary to the specific and indefeasible rights of the inhabitants.

Under these circumstances it became every day more evident, that no substantial benefit was to be expected from the

* Patents of nobility were sold in France; and from this and other causes, the nobles were said at this time, to amount to 200,000. The clergy were about 130,000; and the magistrates also were extremely numerous.

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deliberations of the notables; and it required not much political sagacity to discover, that nothing less than an assembly of the states general of the kingdom, acting upon a wise and comprehensive system, under the direction of a firm and able minister, and with the instructions and advice of the respective provincial states, particularly in those matters which related to their own peculiar rights and privileges, could extricate the country from its present distress, by permanent and duly authorized arrangements of the revenue.

The king dissolved the assembly of the notables on the 25th of May, and in his speech returned them thanks for their zeal and attention, in examining the objects which he had recommended to their consideration. In consequence of their suggestions, some useful, though not very important, regulations in the collection of the revenue were adopted; but as they had not afforded any effectual relief to the urgent necessities of the state, the ministers, unwilling, without absolute compulsion, to have recourse to a meeting of the states general, had no alternative left but to attempt to raise money by the usual mode. Several royal edicts for that purpose were sent to the parliament of Paris, all of which were registered without much hesitation; except one, issued on the 12th of June, imposing a general stamp duty. Upon this subject the parliament presented an address to the king, containing objections to the tax, and requesting his majesty to communicate to them a full account of the real state of the finances, and of the manner in which the money demanded was to be applied. The king declared his determination not to furnish them with any explanatory documents relative to these points; and this refusal

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drew from the parliament a strong remonstrance, in which, after inveighing with great severity against the present ministers, they entered into a discussion of the principles and object of national imposts: they asserted, that neither the king, nor the parliaments, nor any other body of men, except the three estates of the kingdom collectively assembled, had a right to lay a permanent tax upon the people; and they therefore requested, that his majesty would be pleased to assemble the states general. The king replied, that it was for him to judge of the proper time of calling the states general together; and he again required them to register the stamp duty edict, and also an edict for a general land-tax: But finding them resolved not to comply, he held, as the last resort, a bed of justice on the 6th of August, and in his presence, and by his authority, both the edicts were registered. Though this was conformable to antient practice, the parliament did not, like their predecessors, acquiesce in such an exercise of arbitrary power; but on the following day, entered a formal protest against the whole transaction, declaring, that the edicts which had been registered by the express command of the king, against their approbation and consent, neither ought to have, nor should have, any force; and that the first person who should attempt to carry them into execution, should be adjudged a traitor, and condemned to the galleys. This direct attack upon the authority of the king, in the important article of levying taxes, could not be overlooked; and the parliament was immediately * banished to Troyes in Champagne.

During these disputes, the people at Paris took a warm

* On August 12, 1787.

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and decided part in favor of the parliament, whom they considered as victims to the cause of public liberty; and such was the disposition to riot, that the ministers thought it necessary to march a considerable number of additional troops into the city, to prevent disturbances. Besides patroles by day and night, subaltern officers, with small detachments of soldiers, were posted at the corners of the streets; the whole force employed in this service, amounting to 12,000 men. Nor was the dissatisfaction confined to the populace. The chamber of accounts, and court of aids, the two courts of justice next in rank to the parliament, protested against the new taxes, and petitioned the king to recal the parliament, and to summon the states general, as the only means of restoring public confidence and tranquillity, and of relieving the people from the oppressions under which they groaned. Several other public bodies concurred in the same application; and a general tendency to innovation, under the specious pretext of reform, now manifested itself among all descriptions of persons in the metropolis.

The provincial parliaments expressed their unqualified approbation of the conduct of the parliament of Paris; and not confining themselves to the subject of taxes, seemed to vie with each other in the boldness and violence of their proceedings. Among various instances of this nature, the parliament of Grenoble, the capital of Dauphiny, protested against the unconstitutional power, so long exercised by the crown, in issuing lettres de cachet; and declared the execution of them within their jurisdiction, by any person, and under whatever authority, to be a capital crime. The general prevalence of

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this spirit of discontent and opposition so alarmed the ministers, that they did not venture to take any steps for enforcing either the stamp duty or land-tax edict; but they reduced the expences of the king's household, and of some other departments, with the hope of recommending themselves to the people, and of lessening the pressure of pecuniary distress.

The exiled members of the parliament of Paris, although they could not hold any regular meetings, frequently conferred together; and, in compliance with their unanimous wish, the first president, without any permission from the king, or previous notice, set out for Versailles; and, arriving there on the 13th of September, represented to his majesty, in the name of the whole body, the ruinous situation to which his kingdom would be inevitably reduced, by a perseverance in those measures, which he had been advised to pursue: adding, that all public business was at a stand, and the nation in a great ferment; and that though the precise consequences of such a state of things could not be foreseen, yet it was evident, that disorder, confusion, and perhaps the most serious mischief, would be the result.

Although the president had no authority to leave the place of his banishment, and this address was rather menacing than conciliatory, yet so eager was the king for an accommodation, that he allowed a treaty to take place, and soon consented formally to give up the stamp duty and land-tax, which were the great objects of contention, and to recal the parliament. These concessions on the part of the court, without any corresponding ones from the parliament, marked the weakness and indecision of government, and could not but operate as an

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encouragement to future resistance; an opportunity for which shortly after occurred.

On the 19th of November, the king, attended by all the princes of the blood, the great officers of state, and peers, went to an assembly of the parliament of Paris, for the purpose of holding what was called a "séance royale*," and carried with him two edicts to be registered: the one for a succession of loans for five years, amounting to about nineteen millions sterling; and the other for the re-establishment of the protestants in certain civil rights, of which they had been long deprived. The latter measure had been recommended by the parliament some time before, and was probably now proposed, with a view of procuring a better reception for the former. The king introduced these edicts with a speech, in which he explained the necessity of the loans, and expatiated upon the propriety of restoring the protestants to their antient privileges: and, concluding in a high tone of authority, very inconsistent with his recent unconditional concessions, he reminded the parliament, that it was their duty to confine themselves to the functions entrusted to them by the kings his predecessors, and to set an example of fidelity and obedience to his other subjects.

Every member being then at liberty to deliver his sentiments, a very warm debate took place relative to the loans,

* At a séance royale the measures were debated in the king's presence, before they were registered. When the king held a bed of justice, no debate was allowed. It was observed, upon this occasion, by the abbé Sabatier, that the only difference between a bed of justice and a séance royale, was, that one had all the frankness of despotism, and the other all its hypocrisy.

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which lasted nine hours; and, at length, the king, fatigued, and probably displeased by the freedom with which some of the members had expressed themselves, suddenly commanded the edicts to be registered without farther delay. To this the duke of Orleans, first prince of the blood, next to the king's brothers, objected, as a direct infringement of the rights of parliament; and protested against all the proceedings of the day, as illegal. His majesty, however, repeated the order, and immediately quitted the assembly; after which the parliament entered into a resolution, confirming the duke of Orleans's protest, and declaring the edicts null and void.

On the following day, the duke was banished to one of his own seats, where no person was to have access to him, except his family; and the abbé Sabatier and M. Freteau, two members of the parliament, who had violently opposed the edict for the loans, were seized by lettres de cachet, and sent to separate and distant prisons.

This transaction was followed by a series of remonstrances from the parliament to the king, and of answers from his majesty, in which were asserted and maintained, with the most marked perseverance, and the most determined language, principles so opposite to each other, in regard to the prerogatives and authority of the crown, the privileges of parliament, and the rights of the subject, that any compromise or reconciliation was manifestly impossible; and it was obvious, that some great crisis was fast approaching. The parliament constantly referred to what they represented as the original constitution of the kingdom of France; and the king supported his claims by the uninterrupted and unquestionable powers

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exercised by his immediate predecessors, for a considerable period of time.

This contest lasted many months, during which the ministers were employed in framing an extensive plan for a new form of government, the main object of which was, to relieve the king from those vexatious disputes with the parliament, which had been the source of the present distracted state of affairs. With this view, it was proposed to establish a grand council of state, under the name of "La Cour Plenière," to be invested with such powers, as to reduce the parliaments to their original condition of mere courts of justice. This new court was to consist of princes of the blood, peers of the realm, great officers of the crown, the higher orders of the clergy, marshals of France, governors of provinces, knights of the different orders, and a deputation of one member from each parliament of the realm, and of two from the chambers of accounts and of aids, all of whom were to be appointed by the king, and to hold their offices for life. Whatever intrinsic merit this plan might possess, the state of France at the time afforded so little probability of its being adopted, that the expectation of its terminating the present dissensions and restoring tranquillity, appears a species of infatuation; and it is obvious, that every unsuccessful attempt to deprive the parliaments of their usurped authority, could not but tend to strengthen and confirm it.

The parliament of Paris obtained information of what was intended; and before any formal notification of the plan was made to them, they passed several resolutions condemning its principal provisions; in consequence of which, the king

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ordered M. d'Espremenil and M. de Mosambert, who had taken the leading part in the debate, to be arrested in their own houses. These two members, however, having received private intelligence of the order which had been given, concealed themselves; but on the following day went to a meeting of the parliament, when the intended arrest was taken into consideration, and it was unanimously resolved, that a remonstrance should be presented to his majesty, upon the subject, by a deputation of their body. The king refused to admit the deputation; and soon afterwards a regiment of soldiers surrounded the palace where the parliament was assembled, and their commander, M. Degout, entering, ordered, in the king's name, that M. d'Espremenil and M. de Mosambert, should be delivered up to him. A profound silence ensued for some time; but at length the president rose and declared, that he, and every other person present, was a d'Espremenil and a Mosambert, for that they all entirely coincided in the sentiments of those members. M. Degout, not being able to execute his orders, retired for the purpose of consulting the king and his ministers; and, returning at the end of twenty hours, during which time the parliament remained locked up in their chamber, and surrounded by soldiers, required the members to point out to him M. d'Espremenil and M. de Mosambert, under the penalty of being declared guilty of high treason. Not a word was said in answer, till the two members in question rose, and desired permission to surrender themselves: they were accordingly taken into custody, and committed to prison.

The king held a bed of justice on the 8th of May, upon which occasion the parliament presented to his majesty, a long

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address, asserting, among other things, that the French nation would never adopt the despotic plan he had in contemplation; that his authority could only be esteemed, so long as it was tempered with justice; that the fundamental laws of the kingdom must not be trampled upon; that the parliament was determined, both as a body and as individuals, to take no part in any functions which might be the consequence of new regulations; and that they would not assist in carrying into execution any measures, which were not the unanimous resolutions of parliament, endued with all its privileges.

After this address, the king explained very fully the new code of ordinances in a long speech, to which the members listened in silence; and, without making any observation, they saw it registered by his majesty's command. But, on the following day, they entered a protest, declaring, that they gave their sanction to no part of the code, and that they could not accept any seat in the Cour Plenière, which his majesty wished to establish, and which they considered as destructive of the rights they had long enjoyed. This protest was immediately followed by a letter, addressed by several peers to the king, in which they lamented the attempt now made to subvert the fundamental principles of the government, and informed his majesty, that their sense of duty to their country would not allow them to engage in the functions assigned them by the new edicts; and similar sentiments were soon afterwards expressed by a more numerous body of nobles and bishops, in an address presented to his majesty. The king, however, proceeded to nominate the members of the Cour Plenière; but receiving an absolute refusal to belong to that body, from

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persons on whose fidelity and attachment he had fully relied, he was under the mortifying necessity of abandoning the whole code, from his utter inability to carry into effect that part, upon which the rest materially depended: such was the change in the minds even of persons of high rank towards their sovereign. It is, therefore, no wonder, that libels, of the most atrocious nature and most dangerous tendency, were distributed with incredible industry, in which the king was openly branded with the names of tyrant and oppressor, and the people were called upon to stand forward and avenge their wrongs

It has been mentioned, that the archbishop of Toulouse succeeded M. de Calonne, in the administration of the finances, in May 1787; not long after which, he was appointed prime minister, an office which conveyed so much authority in France, that it was not frequently filled. He continued in this situation (having been in the mean time advanced to the archbishoprick of Sens) till the 25th of May 1788, when alarmed by the formidable height to which the embarrassments of government had arisen, he suddenly left Versailles, and retired into Italy.

The king, finding himself thus forsaken by the man, whose advice had brought him into his present state of unexampled difficulty, and desirous of employing a person, whom he knew to be acceptable to the people, recalled M. Necker*, and placed him at the head of the finances. Nothing could exceed the public joy at this appointment, which was followed by the dismissal of the other ministers, and by the release of the duke of Orleans, and of M. d'Espremenil and M. de Mosambert.

The parliament of Paris, which had been suspended from

* He had been finance minister from 1776 to 1781. when he left France.

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the exercise of its duties, was restored about the middle of September; and soon gave full proof, that no alteration had taken place in the principles of its members. They inveighed with the greatest bitterness, against the conduct of the late ministers, and threatened to bring them to justice by a criminal prosecution; but to this the king refused his consent, alleging, that he himself was alone responsible for the measures of which they complained. Having failed in this attempt, they ordered all the king's decrees, which related to their suspension, or which they considered as encroaching upon their privileges, to be publicly burnt in Paris—an act which could not fail, and was probably intended, to bring the royal authority into contempt, and to irritate afresh the minds of the people, which had been somewhat appeased by his majesty's recent compliance with their wishes.

It was now determined, by the advice of M. Necker, to call together the states general, a measure for which the nation had been long impatient; but, as there had been no meeting of this kind since 1614, the year in which Louis the thirteenth was declared of age, it was thought a necessary previous step, to summon a new convention of the notables, for the purpose of consulting them relative to the organization of the states general. Besides the mode of election, the qualifications of the electors and the elected, and other inferior matters, there were two grand points to be considered, which had been much agitated and discussed by the public, namely, of what number the states general should consist; and whether the three orders, the clergy, the nobles, and the tiers état, or commons, should sit and vote together, or in separate chambers.

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The notables met on the 6th of November, and recommended, after the example of 1614, that there should be 300 deputies from each of the three estates; and that the three orders should sit and vote in separate chambers, as had been almost the invariable practice from the time the tiers état had been first admitted to these convocations by Philip le bel, in 1302; but, most unfortunately, the king was prevailed upon, by M. Necker, to consent, that the tiers état should send 600 deputies, and the clergy and nobles 300 each; and nothing was said in the edict, with respect to their deliberating in one or in separate chambers. Whether the silence on this head arose from design or from negligence, the minister was equally unpardonable, since it authorized, as it were, the electors of the tiers état to consider the question as undecided, and afforded them an opportunity of instructing their representatives to make every exertion to cause the three estates to sit together in the same chamber.

Under these circumstances, the assembly of the states general was opened at Versailles, on the 5th of May 1789, by a speech from the king; and, on the following day, the three orders, conformably to antient practice, met separately in three chambers prepared for them. The first business to be transacted was, the verification of their powers; and the tiers état invited the clergy and nobles to come to their hall, the largest of the three, for that purpose. The proposal was rejected by a small majority among the clergy, and by a large one among the nobles. This was a point of great importance, as it involved, or at least might materially affect, the grand question, whether the states general were to sit as three distinct bodies

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the consent of each of which should be necessary to the passing of any law, or as one body, in which every motion was to be decided by a majority of votes. In the former case, the clergy, or nobles, would obviously have it in their power to put a stop to any proceeding injurious to their own order, or which they might disapprove, on any other grounds; and in the latter, the tiers état confidently hoped, they should be able to carry any measure, as their number equalled the joint numbers of the other two orders; and they well knew, that among themselves there was a general coincidence of sentiment, and that they should be joined by many of the clergy, and even by a few of the nobles. They were, therefore, determined not to yield; and, declining to enter upon any business of state, they employed their time in violent and factious debates, reflecting in the severest terms upon the conduct of the other two orders. These harangues, at which persons of all descriptions were allowed to be present, were regularly transmitted to Paris, where they were received with the warmest approbation, and excited the most lively interest.

In a short time, the tiers état, finding the popular cry strongly in their favor, declared themselves the real representatives of the nation; and intimating, that they were about to assume the exclusive power of legislation, sent a final message to the nobles and clergy, requiring their attendance as individuals. They were in consequence joined by a small number of the clergy; and on the 17th of June, solemnly voted themselves the sovereign legislators of the country, under the name

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of the national assembly *. In this new and usurped character, without paying any regard to the king, or to the other two chambers of deputies, who continued their sittings, they pronounced, by a public decree, all taxes which had been imposed without the consent of the representatives of the people, that is, subsequently to the last meeting of the states general, to be null and void; giving, however, a temporary sanction to the existing taxes, although illegal, till the assembly should be able to fix, as they expressed it, the principles of national regeneration, and provide for the security of the public creditors.

A few days after this decree was passed, the king proposed in person to the states, as he still called them, a plan for a new constitution; the general outlines of which were, that no new tax should be imposed, or money borrowed, for the national service, without the consent of the states general; that all exemptions with respect to the payment of taxes should be abolished; that all oppressive seigneurial rights and services should cease; that the liberty of the press should be established; that the operation of lettres de cachet should be so restrained as to secure personal freedom, except in cases of actual violation of the laws; that provincial states should be established in different parts of the kingdom, with definite local powers; and that justice should be administered, both in the

* The duke of Dorset, the English ambassador, writing to Mr. Pitt from Paris, July 9th, 1789, said: "Mr. Jefferson, the American minister at this court, has been a great deal consulted by the principal leaders of the tiers état; and I have great reason to think, that it was owing to his advice, that order called itself L'Assemblée Nationale."

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civil and criminal courts, with the strictest impartiality, and most rigid attention to the rights of every description of his subjects. These reforms, which would have removed all the oppressive grievances of which the people complained, and in fact have reduced the hitherto arbitrary power of the king to that of a limited monarch, might have satisfied the bulk of the nation at an earlier period, and have put an end to all dissension; but being by no means suited to the views and principles of those, who were now the ruling party in the national assembly, the plan was instantly rejected by that body, with indignation; and a resolution passed, declaring their adherence to their former decree, and pronouncing the persons of the deputies sacred and inviolable. Sensible of their strength, and encouraged by the success and popularity which had already attended their exertions, they proposed to form a constitution according to their own ideas, without accepting any suggestion from the king, or shewing any attention to his sentiments and wishes.

A great majority of the clergy, and a considerable number of the nobles, having joined the tiers état, the remainder of both of the orders, at the earnest but most unwise desire of the king, followed their example on the 27th of June. This compliance probably originated from the vain hope of conciliating the national assembly, but, in fact, it afforded a great triumph to the disaffected party; and so far was it from moderating their proceedings, that this faction having now gained additional influence, proposed and carried a series of measures totally destructive of institutions, which had existed from time immemorial. It was resolved, that all feudal services

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should be redeemable at an equitable price, except personal ones, which were to cease, without compensation; that all manorial jurisdictions, all the charters and privileges of towns and districts, and all tithes due to the clergy, should be abolished. These decrees, affecting very valuable rights and property to a great extent, were considered only as preparatory steps to the establishment of a new constitution. As the ground-work of their system, the national assembly published, at the end of August, a declaration of the rights of men and of citizens, containing the most absurd and visionary theories, not only irreconcileable with all ideas of kingly government, but utterly inconsistent with the true ends of every form of civil polity, the security of individuals, and the tranquillity of the public.

Repeated attempts were made by ministers, under the sanction of the national assembly, to raise money by public loans, but they all failed; and no taxes being paid in the present convulsed state of the nation, there was not only no money for the ordinary purposes of government, and for the discharge of the interest of the national debt, but the king was reduced to so great distress, as to be compelled to send his plate to the mint to be coined, as the only means of procuring the common necessaries of life for himself and the royal family.

These proceedings at Versailles, were greatly encouraged and promoted by the events which were taking place at the same period at Paris, there being a constant communication, and perfect understanding, between those who had acquired the ascendancy in the capital, and the predominant party in the national assembly. Meetings were held in different districts

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of the city of Paris, at which factious demagogues, using the most irritating invectives against the king and his ministers, excited the people to acts of treason and rebellion; and measures were usually discussed at clubs, consisting of persons of the most turbulent and daring character, before they were brought forward in the national assembly. The licentiousness of the press was also carried to such an extreme, that pamphlets were continually issuing forth, containing matter of the most seditious and inflammatory nature, subversive of social order, and tending to loosen all the bonds which unite mankind in civilized life. Paris, at this time, abounded with political and sceptical men of letters, who, treading in the footsteps of Voltaire and his associates, degraded their talents, by representing religion as an invention of priests and statesmen; government, as an encroachment upon natural freedom; property, as an infringement of natural right; and distinction of ranks, as contrary to natural equality. Every art was practised to seduce the soldiers from their allegiance; and the success of these attempts soon became apparent. Some troops were called to quell a riot, on the 23d of June; but, though the mob were committing acts of the grossest outrage, not a single soldier could be induced to fire upon, or to use any force against, his fellow-citizens. From this moment there was an end of military discipline, and of civil subordination; and the people, disregarding all established authority, whether derived from the sovereign, or from their own municipal institutions, the city became a prey to every species of disorder, violence, and anarchy. The disaffected citizens, to the number of 30,000, took advantage of this dangerous and alarming state of the metropolis, and enrolled themselves

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under pretence of preserving the public peace. They assumed the plausible name of national guards; and having seized arms from the public arsenals, and being joined by a great number of mutinous soldiers, quickly became a formidable military corps, without the slightest acknowledgement of any dependance upon the king, or of owing him any obedience. They elected their own officers, and appointed the marquis de la Fayette, who had distinguished himself in America, both as a military man, and as a promoter of the rebellion, their commander in chief. One of the earliest acts of these national guards was, the destruction of the bastile, on the 14th of July; the governor and major of which were massacred, and their heads carried upon pikes through the city. This was the first instance of that sanguinary spirit, which marked the revolution in its more advanced periods. The prevôt des marchands, or chief magistrate of Paris, M. de Foulon, late one of the king's ministers, and several other persons who were obnoxious to the populace, were soon after put to death, in the most inhuman manner. There were also frequent insurrections, in which, the national guards being unable or unwilling to repress the rioters, many houses were demolished, and many lives lost.

Societies and clubs, connected with those in Paris, had for some time existed in all the cities and considerable towns throughout the kingdom, for the purpose of preparing the public mind for revolutionary doctrines. These societies, or debating clubs, as they were now called, from their open discussion of political subjects, being much increased in number, had great effect, with the assistance of seditious pamphlets, in spreading the most mischievous opinions, and in stimulating the peasantry to the most atrocious outrages even against their

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greatest benefactors. Many of the nobility and gentry, resident in the provinces, who had, from any cause, rendered themselves unpopular, were assassinated, their mansions destroyed or pillaged, and their patents and title deeds burnt; and in these tumults and disorders the military frequently joined. In short, all trace of regular government was entirely done away; and the whole of France was at the mercy of an infuriated populace, with arms in their hands, who well knew that the most open and daring deeds of plunder, conflagration, and murder, must pass with impunity. Several branches of the royal family, and numerous persons of distinction and property, quitted the kingdom, and took refuge in different foreign countries, while a large proportion of the middle and lower ranks of the community, laying aside their habits of industry and peaceable conduct, spent their time at political meetings, or in committing excesses of every description, to the neglect and injury of trade, manufactures, and agriculture *.

In addition to other evils, there was, at this time, a great want of corn in Paris; and on the 5th of October, a vast multitude of men and women assembled round the hotel de

* Mr. Eden gave the following account to Mr. Pitt, in a letter written from Paris, August 27th, 1789: "It would lead me too far to enter into the strange and unhappy particulars of the present situation of this country. The anarchy is most complete: the people have renounced every idea and principle of subordination; the magistracy (so far as there remain any traces of magistracy,) is panic-struck; the army is utterly undone; and the soldiers are so freed from military discipline, that on every discontent, and in the face of day, they take their arms and knapsacks, and leave their regiments; the church, which formerly had so much influence, is now in general treated by the people with derision; the revenue is greatly and rapidly decreasing amidst the disorders of the time: even the industry of the laboring class is interrupted and suspended. In short, the

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ville, calling aloud for bread and arms. Every exertion to quiet or disperse these rioters, was ineffectual; and at length having furnished themselves with the arms deposited in the hotel de ville, they set out for Versailles, to demand, as they said, bread from the king and the national assemby. A few hours afterwards, the national guards, who had refused to act against the mob, insisted upon following them to Versailles; and la Fayette, having in vain endeavored to dissuade them, felt himself under the necessity of accompanying his soldiers. It was midnight before the national guards arrived at Versailles; and at that late hour, deputies from the mob and from the guards were admitted into the presence of the king, who promised that every effort should be made to supply the capital with corn. The remainder of the night was passed without any act of violence; but at six o'clock the next morning, a mixed and numerous body of national guards, and of Parisian rabble, rushed into the court of the palace, where they cruelly murdered two of the life guards; and then with the most horrid execrations and threats, broke into the queen's apartments, from which her majesty had barely time to escape. The lives of the king and queen were almost miraculously saved by the timely arrival of la Fayette and his officers, who had just influence enough to prevail upon these

prospect, in every point of view, is most alarming: and it is sufficient to walk into the streets, and to look at the faces of those who pass, to see, that there is a general impression of calamity and terror. Such a state of things must come soon to a crisis; and the anxiety to be restored to order and security, would soon tend to establish, in some shape, an executive government, but there is a cruel want of some man of eminent talents to take the lead. I know personally all who are most conspicuous at present, and I see no man equal in any degree to the task which presents itself."

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ruffians to quit the palace; but they could not be persuaded to retire beyond the court, where they called aloud for the king and queen. Their majesties made their appearance in a balcony, the queen with the dauphin in her arms; and after a short calm, there was an universal cry, for the king and queen to go to Paris. It was utterly impossible to resist. Within very few hours, the king, queen, and royal family, set out for Paris, nominally under the escort of 100 members of the national assembly, but really carried captive by the national guards, and the mob, who had come from Paris the preceding day. They were conducted to the Thuilleries, and placed under the custody of a party of the national guards.

The national assembly removed to Paris, and, proceeding in their great work of new-modelling the constitution, decreed that the national assembly, which was in future to consist of 745 members, to be elected every two years, according to prescribed rules, should have the power of making laws, the king being allowed only a suspensive veto; that the distinction of provinces should cease, and the kingdom be divided into 83 departments, each consisting of about 324 square leagues; that all the parliaments, together with all the courts of canon and political law, should be annihilated; that the local statutes and customs of the different municipalities should not remain in force; that all the revenues and possessions of the church should be confiscated*; that all monastic institutions should be suppressed; that the higher orders of the clergy should be abolished, and small annual stipends paid to the parochial priests; and, to complete the ruin of the church, parochial benefices were

* The decree for this purpose, was proposed by Talleyrand, bishop of Autun, who afterwards made so conspicuous a figure in the revolution.

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rendered elective, and persons of all religions, not excepting Jews, were allowed to vote at these elections. Every clergyman, already in possession of a benefice, was required, under penalty of deprivation, to swear, that he would maintain, to the utmost of his power, the new constitution, and particularly the regulations relative to the civil obligations of the clergy. Many of the beneficed clergy, refusing to take this oath, as being contrary to that which they had taken at their ordination, and as being highly disapproved by the pope, were ejected from their preferments, and left without any means of subsistence. The annual expenditure of the nation exceeding the annual income, in its present reduced state, by twelve millions sterling, the national assembly decreed, that the confiscated possessions of the church, after providing for the trifling stipends of the parochial clergy, should be immediately applied to the service of the public; but these lands, under the present circumstances of the country, not being convertible into ready money, bills, called assignats, were issued upon the security of the church property, and being transferable came into general circulation. Decrees were also passed for abolishing hereditary nobility in France, for ever, and for prohibiting the use of all titles, all terms of distinction and respect, all names derived from estates or places, all armorial bearings and liveries; in short, every thing which denoted degrees of rank, or implied superiority of station. These decrees, all of which passed within the short period of a few months, entirely subverted the civil and ecclesiastical establishments of the country; and the king was compelled to express his consent to them openly, in the national assembly.

This revolution in the government was the consequence of

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a revolution in the sentiments and principles of the bulk of the nation, aided by the peculiar circumstances of the times, and the indiscretion and weakness of the ministers of the crown. The French people had long been distinguished for personal attachment to their sovereign, and for yielding implicit obedience to his commands; but so complete was the change introduced by the new philosophy, that though they were now governed by a king, who had been more mild in the exercise of his power, than any of his predecessors, and who had given the most decisive proofs of his readiness to establish a free government, yet they suffered him to be deprived of all real authority, and to be reduced to a condition little better than that of a prisoner in his own palace. It was, indeed, evident that the life of the king, and the lives of all the royal family, remaining in France, depended upon the will of men, who had already been guilty of the most wanton and atrocious acts of injustice and cruelty, of confiscation, rapine, and murder, which ever disgraced the annals of a civilized nation. Those members of the national assembly, and that part of the public, who were friends to a limited monarchy, and wished only for a moderate reform, did not perceive the tendency of the first steps taken in this revolution, and afterwards did not possess sufficient energy and strength to resist the more violent proceedings.

In the early part of 1790, a set of persons, who had hitherto been known by the name of the Breton committee, having at first consisted of deputies to the states general, belonging to the province of Brittany, assumed the name of the Jacobin club, from their meetings being then held in the hall of the

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Jacobin or Dominican friars at Paris. This club, at which political questions were debated, afterwards admitted other members, and soon including all who took a forward part in the national assembly, became so distinguished as to give name to the principles, to which the revolution owed its origin and establishment.

Such were the zeal and activity of the French innovators, and such the extent and boldness of their plans, that there was no part of Europe, in which agents were not employed, for the purpose of disseminating their pernicious principles; the adoption of which, indeed, by other countries, they considered as essential to the permanent establishment of their system at home. In this kingdom, these democratic missionaries found not only individuals, but political societies of men, ready to co-operate with them, and to promote their views. The king of France had not been many days forcibly conveyed by his own subjects to Paris, nor the nobility long proscribed, and the church plundered, before several of these societies sent letters of congratulation to the national assembly, and resolutions were passed at their meetings, of an inflammatory and dangerous tendency. The means, by which the revolution was carried on and effected, if not positively praised by the English societies, were pronounced to be justified by the end; the example was recommended as a glorious pattern for the imitation of mankind; and sanguine expectations were held out, that the overthrow of regal despotism in France would lead to what they called the general emancipation of Europe. At the same time our press teemed with the most daring libels upon the constitution of this country, which were circulated

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gratis with astonishing industry, not only among the lower classes of the community, but through the army and navy. In these writings the people were invited to form themselves into clubs and societies, after the manner of the French, and several were actually formed in some of the most populous towns of the kingdom, avowedly affiliated, to use an expression of their own, to the societies and clubs in France.

UNDER these circumstances, parliament met on the 21st of January 1790. In the speech from the throne, the king, after lamenting the continuance of the war upon the continent, and the internal commotions which disturbed the tranquillity of different parts of Europe, informed the two houses, that he still received assurances of the good disposition of all foreign powers to these kingdoms; and that he was persuaded they would entertain with him, a deep and grateful sense of the favor of Providence, in continuing to his subjects the increasing advantages of peace, and the uninterrupted enjoyment of those invaluable blessings, which they had so long derived from the excellent constitution, under which they lived. He then mentioned the estimates and supplies for the present year, in the usual manner; and acquainted parliament, that during the recess he had taken measures, which were rendered necessary by the situation of the country, for preventing the exportation, and facilitating the importation, of certain sorts of corn: And he concluded, with recommending a perseverance in the same zeal and attention to the public service, which had hitherto appeared in all their proceedings, and of which the effects had been so happily manifested in the increase of the national

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revenue, the extension of the commerce and manufactures of the country, and the general prosperity of his people.

The addresses were voted in both houses, without the slightest opposition, and with scarcely any debate.

THE measures brought forward by Mr. Pitt, in the present session, were few in number; and the account of them may be comprized within a short compass.

THE first related to a subject mentioned in the king's speech. The want of corn at Paris, in the preceding summer, has been noticed; and before much progress was made in the revolution, the French government applied to our ministers for 20,000 sacks of flour*; but Mr. Pitt, learning from the principal corn factors, with whom he had a conference, that the sending

* Upon that occasion M. Necker wrote the following letter to Mr. Pitt, dated June 25, 1789: "J'éprouve en vous écrivant, monsieur, deux sentiments bien differents, l'un de tristesse lorsque je refléchis au sujet de cette lettre, l'autre excité par une plus douce émotion en pensant, que je m'approche, pour la premiere fois de ma vie, d'un ministre, dont les rares vertus, dont les sublimes talens, dont la superbe renommée fixent depuis long-tems mon admiration et celle de toute L'Europe; recevez, Monsieur, un hommage, qui aura peutêtre, un leger prix à vos yeux, si vous pensez, qu'il vous est rendu par une personne, à qui l'experience a fait connoitre la difficulté des affaires publiques, la multitude infinie de combinaisons qu'elles presentent, et quelquefois l'inconstance des jugements des hommes.

"Je viens à l'affaire que je recommande à la protection du plus noble ami de l'humanité: je dois laisser a M. l'ambassadeur de France le soin de vous expliquer l'importance dont il seroit pour cette partie de la France d'obtenir une extraction de farines d'Angleterre; je lui laisse aussi le soin d'être auprès de sa majesté Britannique l'interprète de l'interêt que prend le roi de France au succès de sa demande. Je ne sçais s'il sera necessaire, que cette demande soit portée au

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out of the kingdom such a quantity of flour, though not exceeding a week's consumption in the metropolis, would probably raise the price of wheat, informed the French ambassador, that the request could not be granted. Individuals, however, were afterwards known to be supplying France with corn; and it being feared, that if this practice continued, England herself might suffer very serious inconvenience from the want of that necessary article of life, especially in case of a late or a bad harvest in the following year, a royal proclamation was issued in December, prohibiting the exportation, and encouraging the importation, of corn. This proclamation, though acknowledged to be a wise measure, was not strictly legal; and therefore, Mr. Pitt, immediately after the meeting of parliament, introduced a bill of indemnity, which passed both houses without difficulty.

In opening the budget, on the 19th of May, Mr. Pitt assured the house, that he felt particular satisfaction in being able to prove, that the income of the country had exceeded his estimate, which was formerly censured as too high, by gentlemen on the opposite side of the house. It appeared, he said, from authentic documents upon the table, that the annual average produce of the taxes, for the last three years, was nearly

parlement d'Angleterre; mais si cela est, je n'ai nulle défiance de sa réussite: une nation genereuse comme la votre se plaira à sortir un moment de la rigueur de la loi pour rendre un service que tant de motifs respectables solliciteront auprès d'elle, et qui sont tous dignes de l'eloquence persuasive du plus vertueux des orateurs.

" J'ai l'honneur d'etre avec le plus parfait attachement, monsieur, votre très humble et très obèissant serviteur.

" Necker."

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15 ¾ millions, and that the average of the last two years was 16¼ millions; and that on the 5th of April, there actually remained in the exchequer, a surplus of 621,151 *l.* He enumerated all the particulars of the supply, which amounted to nearly six millions; and shewed that the ways and means, afforded by the flourishing condition of the finances, were fully competent to meet the whole of that charge, without having recourse to loan or taxes. He observed, that various extraordinary expences beyond a peace establishment, to the amount of six millions, had been defrayed since the year 1786, with the assistance of a loan of only one million; that in the mean time, more than five millions of the capital of three per cents had been discharged; that the country was at that moment in a situation of prosperity far greater than at any period before the last war; and that he saw no reason whatever, after the minutest investigation, to fear, that the present income, large as it was, would not be permanent; but, on the contrary, he entertained the most sanguine expectations of a farther augmentation, from the increase of our commerce, our manufactures, our industry, our population, and our wealth. This statement was highly satisfactory to all who heard it; and a member mentioned, that during the 15 years he had enjoyed a seat in that house, this was by far the most prosperous budget he had ever remembered.

Mr. Pitt, on a following day, represented to the house, that the tontine, which parliament had established last year, upon his suggestion, had not filled in the manner he expected; and that being now at a discount, and a considerable part of it

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undisposed of, the individuals, who had contracted for the whole, must sustain a very serious loss, if some relief were not afforded them. He proposed, therefore, that those who held the shares, should have the option of exchanging them for long annuities of equal value; and that the lords of the treasury should be authorized to nominate lives, according to the different classes, for any shares which might be ultimately vacant, and be considered as holding them for the public. By this expedient the original subscribers would be relieved, without any detriment to the revenue; and the interest of persons, who had purchased shares and nominated lives, would not be affected. Very little objection was made to this proposal; and the bill for carrying it into execution was agreed to, without any division, in either house.

THE bill which passed in 1787, for farming the post horse duty, being novel in its principle, and intended as an experiment, was limited to three years; and the produce of the tax having increased 30,000*l.* a year, Mr. Pitt proposed, that this mode of collecting the duty, which had been attended with such advantage to the revenue, without causing any inconvenience or mischief, should be continued for three years more; and a bill for that purpose passed also without any division.

PETITIONS against the bill which passed last year, for subjecting tobacco and snuff to the excise laws, were in this session presented to the house of commons, from the manufacturers of those articles; and after evidence had been heard at the bar, Mr. Sheridan strongly urged the repeal of the act,

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upon the ground, that the excise system was inapplicable to the manufacture of tobacco. On the other hand, Mr. Pitt contended, that this argument was proved to be utterly without foundation, by the simple fact, that the duty upon tobacco, since it was put under the excise, had, in the six most unfavorable months of the year, produced 130,000*l.* more than in the same period, while under the customs; whence he inferred, that this change would benefit the revenue nearly 300,000*l.* a year. He, therefore, opposed the motion for the repeal, which was negatived by a majority of 191 to 147; but he afterwards introduced a bill to facilitate the collection of the tax, and to remove some of the objections stated by the manufacturers. This bill passed the house of commons after two divisions, in which the majorities in its favor were very large. In the house of lords it was also opposed, and carried by a majority of 55 to 33.

In the course of these debates much was again said by the leaders of opposition, in both houses, against the system of excise, as being inconsistent with the liberty of the subject; upon which it was observed, that the fair trade had considerably increased under this mode of collection, which was infinitely the most advantageous to the revenue, indeed the only one, with respect to several articles, which could be adopted; and that there could not, therefore, be a greater enemy to his country, than the person who endeavored to raise a clamor against the excise laws, with a view to abolish a system producing six millions a year, the loss of which must inevitably lead to national bankruptcy, and to all that anarchy and confusion then prevailing in France, where the want of an

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adequate revenue had been the immediate cause of the disorders. CHAP. XII. 1790.

These were Mr. Pitt's principal measures of finance, in the present session of parliament.

THE only other business of importance, brought forward by him, related to an event, which took place in a very distant part of the world, and suddenly threatened to interrupt that continuance of peace, which was the object of his most ardent wishes. A small association of British merchants, resident in Bengal, acting under the immediate protection of the East India company, and with the sanction of the governor general of India*, sent two vessels, early in 1786, to the north west coast of America, to procure furs and ginseng† for the supply of the Chinese market‡; and this voyage succeeded so well, that in January 1788, two other vessels sailed for the same purpose, which arrived at Nootka Sound, (situated about the 50th degree of latitude,) in the following May. The person, entrusted with the conduct of this expedition, purchased land of a neighboring chief, erected buildings, hoisted the British flag, and, having made a regular settlement, carried on an extensive and lucrative trade with the natives upon the coast, both to the north and south. These proceedings went on, without any

* Sir John Macpherson.

† A vegetable in great repute in China, as a medicine.

‡ This trade was recommended by captain King, in his account of captain Cook's last voyage, in consequence of furs having been purchased at Nootka Sound in the course of that voyage, and disposed of to great advantage in China.

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molestation, till May 1789, when two Spanish ships of war arrived in Nootka Sound, the commander of which seized a British vessel lying there with her cargo, took possession, in the name of the king of Spain, of the land and buildings belonging to the British settlers, pulled down the British flag, and hoisted the Spanish in its stead. All the British were sent prisoners on board the Spanish vessels, where they were put into irons, and treated with great severity. Three other British vessels, which arrived soon after, were seized in the same manner; and two of the four were carried prizes to San Blas in Mexico, where the officers and men were detained nine months as prisoners. The pretext for these acts of violence was, that all the lands, comprized between Cape Horn and the 60th degree of north latitude, belonged to his catholic majesty, by virtue of a grant from the pope*. The truth, however, was, that though this settlement had really originated in the spirit of private adventure, yet the court of Spain, always jealous and mistrustful, suspected it to be the act of the British government, with the design, of first establishing a direct commercial intercourse with the Spanish American colonies, and ultimately detaching them from the dominion of

* This pretended right was founded on a grant made to Spain, by a bull of pope Alexander the 6th, in 1493, and which was in imitation of one made about half a century before, by pope Eugenius the 4th, to the Portuguese, assigning to them all the lands they could discover to the eastward of Cape Non in Africa. To prevent his gift from interfering with that of his predecessor, Alexander drew an imaginary line from pole to pole a hundred leagues to the westward of the Azores, to serve as a limit to the two claims; allowing the right of the Portuguese to all lands discovered to the east of that line, and conferring all to the west of it upon the Spaniards.

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the mother country*; and, therefore, the Spanish minister thought it wise to make an early effort to frustrate the attempt.

The first intimation of these transactions was received by our ministers, from the Spanish ambassador at the court of London, who, at the same time, desired, in the name of the king his master, that the subjects of Great Britain might not in future be allowed to make any settlement, or engage in any trade, upon the western coast of America, which was alleged to be already occupied by the subjects of Spain. Complaints were also made of the fisheries carried on by the British subjects, upon the seas adjoining to the Spanish American continent, as being contrary to the rights of the crown of Spain.

In consequence of this communication, our government immediately demanded restitution of the vessels, and adequate satisfaction, previously to any other discussion. The court of Spain replied, that the vessels and crews had been set at liberty by the viceroy of Mexico; but it was added, that this was done upon the supposition, that nothing but ignorance of the rights of Spain, could have induced individuals of other nations to make trading establishments on those coasts; and, so far from any satisfaction being offered, a direct claim was asserted, to the exclusive rights of sovereignty, commerce, and navigation, in the territories and seas of that part of the world. This produced a fresh representation, in stronger terms, from our

* This appears from the correspondence of our minister at Madrid. As early as April 1786, Count Florida Blanca entertained a general vague suspicion of our hostile views respecting South America.

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court to that of Spain, repeating the demand of such a full and adequate satisfaction as the nature of the case required; besides which, our ministers, having learned from private intelligence, that armaments were going on with great alertness in the ports of Spain, manifesting an intention on the part of that court to support its pretensions by force, gave immediate orders for similar preparations, that they might have it in their power to act with vigor and effect, in maintaining the honor of the British crown and the interests of British subjects.

On the 5th of May, Mr. Pitt delivered a message to the house of commons from the king, in which his majesty, after reciting all these circumstances, recommended to his faithful commons, on whose zeal and patriotism he had the most perfect reliance, to enable him to make such augmentation of his forces, as might be eventually necessary for that purpose.

The following day being fixed for taking this message into consideration, Mr. Pitt observed, that however natural it might be to look with concern at the circumstances stated by his majesty, and at all the future possible occurrences to which they might lead, he conceived, he should not do justice to the feelings and public spirit of that house, if he entertained for a moment an idea, that there could be a difference of opinion as to the measures which ought to be adopted. There was no occasion for him to enlarge upon the facts contained in his majesty's message; the bare mention of them, he was persuaded, would be sufficient to induce the house to give their concurrence, and he hoped their unanimous concurrence, to the motion with which he should have the honor to conclude. These facts were; first, that some of his majesty's subjects had

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been forcibly interrupted in a trade, which they had carried on for several years without molestation, in parts of America, where they had an incontrovertible right of trading, and where no country could claim an exclusive right of commerce and navigation; that this interruption had been made, by the seizure of a ship's cargo and company, without any previous notice, and in a moment of profound peace; that the officers and crew had been sent as prisoners of war to a Spanish port, and the cargo appropriated to the use of the captors, without the pretence of any regular jurisdiction, and without having gone through any forms of condemnation, uniformly resorted to in cases of prize, even at a time of open hostility. He wished to abstain from using any words of aggravation.—This bare statement of the facts must be sufficient to induce a British house of commons to expect adequate satisfaction for the injury done to their fellow subjects, and to resent the indignity offered to the British flag. Upon an application to the court of Madrid, his majesty's ministers had been informed, that the vessels had been restored, but that no satisfaction had been made; on the contrary, the restoration was accompanied by a claim the most absurd and exorbitant, which could well be imagined; a claim which had never been heard of before, indefinite in its extent, and which originated in no treaty, or formal establishment of a colony; nor did it rest on any of those grounds, upon which claims of sovereignty, navigation, and commerce are usually founded. He insisted strenuously on the disadvantages which Great Britain would sustain, by an admission of this claim: it would exclude his majesty's subjects from an infant trade, the future increase of which

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might prove materially beneficial; it would deprive this country of the means of extending its navigation and fishery in the southern ocean; and it might be detrimental to the best interests of the British empire, by provoking new claims and similar treatment from Spain or from other powers. He mentioned also, that preparations for war were going on in the different sea-ports of Spain; and from the whole of these facts and reasoning, he inferred, that it was incumbent upon the house, by granting an additional force, to enable his majesty to act with vigor, and effectually to maintain the honor of his crown, and the safety, happiness, and prosperity of his people. He hoped, however, that it might not be ultimately necessary to use the force hostilely; but his majesty's ministers would thus have it in their power to obtain an ample and honorable reparation, with such a settlement of the question of right, as should be most likely to secure the permanent continuance of tranquillity; and heartily must they all rejoice, if, by the moderation and prudence of the court of Spain, a contest should be avoided. No man, he declared, would more regret even a temporary interruption of peace, than he should; but he must ill deserve the situation in which he stood, and disgrace the character of a member of parliament, and a subject of Great Britain, if, however anxious he was for the preservation of the blessings of peace, he did not resist this extravagant claim, and advise vigorous preparation for war; with a view, at all hazards, to assert our rights, and obtain a complete satisfaction for the injury sustained by individuals, and the insult offered to his majesty's crown. If justice was not done them by others, they must endeavor to do justice to

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themselves. The king, he was confident, would meet the unanimity of a loyal, a generous, and a brave nation, with the most spirited exertions.

Mr. Pitt, in conclusion, moved an address, in which, conformably to these sentiments, the house assured his majesty, that although they should sincerely rejoice in such a termination of the discussions now depending, as might continue and confirm the harmony and friendship which had happily subsisted between Great Britain and Spain, and prevent any grounds of misunderstanding in future, yet at the same time they felt it their indispensable duty to afford his majesty, the most zealous and effectual support in such measures, as might become requisite for maintaining the dignity of his majesty's crown, and the essential interests of his majesty's dominions.

Mr. Fox expressed his cordial concurrence with the motion, declaring, that no man could be more convinced than he was, of the necessity of an immediate and vigorous armament; nor could any man feel a warmer resentment at the unprovoked aggression of the court of Spain. He complimented Mr. Pitt, upon the forcible manner in which he had described this absurd and exorbitant claim, which had been urged, he said, equally in opposition to the principles of justice and of prudence. He observed, that the business to be settled was not the mere capture of the ships, but the great and important point of the definition of the claims of the court of Spain, in respect to America and the southern ocean; and therefore he trusted, that this country would not rest contented with a bare satisfaction for the injury, but would obtain a renunciation of the claim, set up with so little ground of reason: this he

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understood to be the intent and meaning of his majesty's message, and on that idea he gave his vote for the address.

Mr. Pitt admitted, that any satisfaction would be inadequate, which did not tend to prevent future disputes; and in reply to a remark of Mr. Fox, he said, that all the particulars, relative to the seizure of the ships, and the preparations for war in Spain, were not known when he opened the budget. The information, indeed, at that time received, was so imperfect, that it would have been highly improper to state it to the house, although it was sufficient to prevent his saying a word, upon that occasion, respecting the probability of the continuance of peace.

The address passed unanimously; as did a vote of credit a few days afterwards, for a million, to enable his majesty to proceed in the armament, which had been begun with great spirit, and with the general approbation of the public.

THE small majority, by which Mr. Beaufoy's motion for the repeal of the corporation and test acts, was rejected last year, encouraged the dissenters to renew their application in the present session; and they prevailed upon Mr. Fox to undertake their cause. Mr. Pitt again opposed the motion, from a decided conviction, that it would be impolitic, in the highest degree, to relinquish acts adopted by the wisdom of our ancestors, to serve as a bulwark to the church, which was so intimately connected with the state, that the safety of the one was always liable to be affected by any danger, which might threaten the other; and that in fact, the operation of these acts preserved the constitution in the preceding century. Mr. Fox

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had asserted, that no government had a right to animadvert upon the speculative opinions of its subjects, till they had been productive of real mischief; and that the persons holding such opinions, could in no case be rendered fit objects of punishment or restraint by the legislature, till they had been actually guilty of conduct subversive of the public tranquillity. To this principle, Mr. Pitt strongly objected, remarking, that it would at once put an end to the wise policy of prevention, and open a door to the certain ruin of the constitution. In his speech, he alluded to the associations, which the dissenters were forming in different parts of the kingdom, for the purpose of supporting such candidates at the approaching general election, as would engage to vote for the repeal of these acts. He censured this conduct in the dissenters, who, while they were condemning tests as qualifications for offices, were in fact themselves requiring a test of the fitness and competency of persons to discharge their parliamentary duty, by their sentiments upon a single point.

Mr. Fox's motion was negatived by 294 to 105; which large majority arose, in a great degree, from the dread, inspired by the horrors of the French revolution, of making any alteration in the fundamental laws of the kingdom, and from a certain knowledge, that many of the principal dissenters were members of those societies, which were in friendly correspondence with the democratic party in France.

On the 4th of March, Mr. Flood, who had long been a distinguished member of the Irish house of commons, and had taken an active part in all the political transactions of that

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country, moved, in the British house of commons, of which he had lately become a member, for leave to bring in a bill for amending the representation of the people in parliament; and in the debate which followed, Mr. Pitt observed, that he had himself some years since submitted to the house, a proposition of the same nature, which had been successfully opposed, though the times, and a variety of other circumstances, were more favorable than at present. The chief objection, he said, then urged, was, the danger of innovation; and the knowledge of the impression which that argument had made, strengthened as it was by the recent occurrences in France, rendered him desirous that the consideration of the subject should be postponed, from a persuasion that the cause of reform would suffer by being brought forward at an improper moment. He declared, that no alteration had taken place in his sentiments upon the general question, which he should again introduce, whenever he should see a fit opportunity; but that, conceiving the present to be a most unsuitable time for such a discussion, he should, if the honorable gentleman persevered in his motion, feel himself under the necessity of proposing an adjournment; on which, Mr. Flood consented to withdraw his motion.

VERY little progress was made in the trial of Mr. Hastings in this session, the court having sat only thirteen days; and therefore, on the 11th of May, when it was evident, that the prorogation of parliament was at no great distance, Mr. Burke proposed a resolution to the house of commons, that the managers should be authorized to abandon a part of the charges, confining themselves to "such as shall appear to them the

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most conducive to the obtaining speedy and effectual justice;" which passed without a division. He then moved a second resolution, declaring, that the house was bound to persevere in the impeachment of Mr. Hastings, "until judgment should be obtained upon the important articles in the same;" which was carried by a majority of 48 to 31. Mr. Pitt spoke in favor of the former of these resolutions, upon the ground of its tendency to the furtherance of public justice, and the advantage of the party accused; and he voted for the second, although, he said, it did not appear to him to be absolutely necessary.

In the preceding session, Mr. Pitt had supported a motion for censuring Mr. Burke, who, in a speech before the house of lords, had accused Mr. Hastings of a much more heinous crime than any contained in the charges; and, in the present session, he concurred in a vote for reprimanding major Scott, who had published a letter in a newspaper, "reflecting, in scandalous and libellous terms, upon the honor and justice of the house of commons, and the conduct of the managers of the impeachment." In the former case, he thought, that Mr. Hastings, although justly under trial for certain offences, had still a right to the protection of the house against all irrelevant accusations; and, in the latter, that the managers had an equal right to be protected by the house, in the execution of their trust. In these instances, and, indeed, on every other occasion, Mr. Pitt acted with that impartiality, which, from the beginning of this business, he had determined to observe.

THE hearing evidence upon the subject of the slave trade, was

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re-commenced at an early period of the session, and continued to the end of it; but the examination of witnesses not being then completed, sir William Dolben's slave-carrying bill was renewed for another year, with still farther amendments, and the main question deferred to the next session.

THE different opinions expressed by the leading members of opposition in the house of commons, during this session, relative to the French revolution, were so remarkable in themselves, and led to such important political consequences, in which Mr. Pitt was materially concerned, that it will be proper to state the substance of what passed upon that subject. On the 5th of February, the day the military establishments for the current year were brought forward, Mr. Fox, in discussing the propriety of voting the proposed number of troops, which was the same as in the preceding year, remarked, that the conduct of the French soldiers, during the late commotions, tended greatly to remove one of the objections, which he had always entertained against standing armies. The army of France, he said, by refusing to obey the dictates of the court, had set a glorious example to all the military of Europe, and had shewn, that men, by becoming soldiers, did not cease to be citizens. Their conduct resembled the behavior of the patriotic soldiers of England, when the prince of Orange landed, to assist in preserving our civil and religious liberties. The French revolution was, indeed, in many respects like to the glorious event which established and secured the liberties of England. He contended, however, that the situation of the continent made it unnecessary for us to keep up so large

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an army as we had hitherto done, as he was persuaded, that the new form, which the government of France was likely to assume, would render her a better neighbor, and less disposed to hostility, than when she was subject to the cabal and intrigues of the ambitious and interested ministers of an absolute monarch.

The only notice taken of these observations, on this day, was by colonel Phipps*, who said, that he could not but consider the manner in which Mr. Fox had spoken of the conduct of the military bodies in France, as a poor compliment to a profession, to which he had the honor to belong. He was of opinion, that the conduct of the British army in 1780, would have furnished the right honorable gentleman with a much more unexceptionable ground of panegyric. He would there have found the soldiers of this country, not joining those who were riotously disturbing the public peace, and scattering death and ruin among individuals; not, in violation of their oath and of their allegiance, heading anarchy and rebellion; but men, really feeling as citizens and soldiers, patiently submitting to the insults of the populace; and, in spite of the grossest provocations, maintaining the laws under the constituted authorities of the realm.

Four days afterwards, when these estimates were reported to the house, Mr. Fox, again adverting to the French revolution, confessed, that he was, both from feeling and principle, among those who exulted in the sudden and unexpected change, which had taken place in the affairs of France. Mr. Burke, who had not been present upon the former occasion, declared his

* Afterwards earl of Mulgrave.

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extreme concern, that Mr. Fox should have dropped even a word of exultation at the revolution in France; or that he should be of opinion, that the objection to standing armies was at all lessened by the recent occurrences in that country. The house must, he said, perceive by his coming forward to notice an expression or two of his best friend, how anxious he was to keep the distemper of France from the least countenance in England, where some wicked persons had shewn a strong disposition to recommend an imitation of the French mode of reform. For his own part, he was determined to resist all violent exertions of the spirit of innovation, so distant from the principles of true and safe reformation; a spirit well calculated to overturn states, but perfectly unfit to amend them.

"Since the house was prorogued in the summer, continued Mr. Burke, much work has indeed been done in France. The French have shewn themselves the ablest architects of ruin, that have hitherto existed in the world. In that very short space of time, they have completely pulled down to the ground, their monarchy, their church, their nobility, their law, their revenue, their army, their navy, their commerce, their arts, and their manufactures.

"France, by the mere circumstance of her vicinity, has been, and in a degree always must be, an object of our vigilance, either with regard to her actual power, or to her influence and example; and her example, during a period of peace and friendly intercourse, has been, and may again become, more dangerous to us, than her worst hostility. In the last century, we were in danger of being entangled, by the example of

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France, in the net of relentless despotism. It is not necessary to say any thing upon that example; it exists no longer. Our present danger, from the example of a people, whose character knows no medium, is, with respect to government, a danger of anarchy, a danger of being led, through an admiration of successful fraud and violence, to an imitation of the excesses of an irrational, unprincipled, proscribing, confiscating, plundering, ferocious, bloody, and tyrannical democracy. On the side of religion, the danger of their example is no longer from intolerance, but from atheism, a foul unnatural vice, foe to all the dignity and consolation of mankind, which seems in France, for a long time, to have been embodied into a faction, accredited, and almost avowed. These are our present dangers from France.

"What the French now value themselves upon, is a disgrace to them. They glory, and some people in England have thought fit to take share in that glory, in making a revolution, as if revolutions were good things in themselves. All the horrors, and all the crimes, of the anarchy, which led to their revolution, which attended its progress, and which virtually attend it in its establishment, pass for nothing with the lovers of revolutions. The French might be said to be in possession of a good constitution, on the day the states general met in separate orders; and their business, had they been either virtuous or wise, was to secure the stability and independence of the states, according to those orders, under the monarch on the throne. It was their duty to redress grievances. Instead, however, of redressing grievances, and improving the fabric of their government, to which they were called by their king,

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and sent by their country, they took a very different course. They first destroyed all the balances and counterpoises which served to fix the state, and to give it a steady direction; and which furnished some correctives to any violent spirit which might occasionally prevail in any of the orders. These balances existed in their oldest constitution, and in the constitution of this country, and in the constitution of all the countries in Europe. These they rashly destroyed; and then they melted down the whole into one incongruous, ill-connected mass. Having done all this, they instantly, with the most atrocious perfidy and breach of all faith among men, laid the axe to the root of all property, and consequently of all national prosperity, by the principles they established, and the example they set, in confiscating all the possessions of the church. They made and recorded a sort of institute and digest of anarchy, called The Rights of Man, in such a pedantic abuse of elementary principles, as would have disgraced boys at school; but this declaration of rights was worse than trifling and pedantic in them, as by their name and influence, they systematically destroyed every hold of authority by opinion, civil or religious, in the minds of the people. By this mad declaration, they subverted the state; and brought on such calamities, as no country, without a long war, has ever been known to suffer, and which may in the end produce such a war, and perhaps many such."

He said, "that the worst effect of all their proceedings was upon their military, which was rendered an army for every purpose, but that of defence; that if the question was, whether soldiers were to forget that they were citizens, as an abstract

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proposition there could be no difference about it, though, as is usual when abstract propositions are to be applied, much was to be considered concerning the manner of uniting the characters of citizens and soldiers. As applied to the events which had happened in France, where the abstract principle was cloathed with its circumstances, he thought his friend would agree with him, that what was done there furnished no matter of exultation, either in the act, or in the example. These soldiers were not citizens; but base, hireling mutineers, and mercenary, sordid deserters, wholly destitute of every honorable principle. Their conduct was one of the fruits of that anarchic spirit, from the evils of which a democracy itself was to be resorted to, by those who were the least disposed to that form, as a sort of refuge. It was not an army in corps and with discipline, embodied under the respectable patriot citizens of the state in resisting tyranny. Nothing like it. It was the case of common soldiers, deserting from their officers, to join a furious, licentious populace. It was a desertion to a cause, the real object of which was, to level all those institutions, and to break all those connexions, natural and civil, which regulate and hold together the community by a chain of subordination; to raise soldiers against their officers; servants against their masters; tradesmen against their customers; artificers against their employers; tenants against their landlords; curates against their bishops; and children against their parents. This cause of their's was not an enemy to servitude, but to society.

"He felt some concern, that this strange thing, called a revolution in France, should be compared with the glorious event,

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commonly called the revolution, in England; and that the late conduct of the French soldiery, should be compared with the behaviour of the English troops in 1688. At that period, the prince of Orange, a prince of the blood royal of England, was called in by the flower of the English aristocracy, to defend its antient constitution, and not to level all distinctions. To this prince so invited, the aristocratic leaders, who commanded the troops, went over with their several corps in bodies, to the deliverer of their country. Aristocratic leaders brought up the corps of citizens, who had newly enlisted in this cause. Military obedience changed its object; but military discipline was not for a moment interrupted in its principle. The troops were ready for war, but indisposed to mutiny; and not one drop of blood was shed.

"But as the conduct of the English armies was different, so was that of the whole English nation at that time. In truth, the circumstances of our revolution (as it is called) and of that of France, were just the reverse of each other, in almost every particular, and in the whole spirit of the transaction. With us it was the case of a legal monarch, attempting to introduce arbitrary power—in France it is the case of an arbitrary monarch, beginning, from whatever cause, to legalize his authority. The one was to be resisted; the other was to be managed and directed: but in neither case was the order of the state to be changed, lest government should be ruined, which ought only to be corrected and legalized. Here we got rid of the man, and preserved the constituent parts of the state: there they got rid of the constitution of the state, and keep the man. What we did was in truth and substance, and

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in a constitutional light, a revolution, not made, but prevented. The person who held the government, and was at the head of the executive power, was abandoned by the country, because he wished to change the constitution; but the constitution remained. We took solid securities; we settled doubtful questions; we corrected anomalies in our law. In the stable, fundamental part of our constitution, we made no revolution; no, nor any alteration at all. We did not impair the monarchy; perhaps it might be shewn, that we strengthened it very considerably. The nation kept the same ranks; the same orders; the same privileges; the same franchises; the same rules for property; the same subordinations; the same order in the law, in the revenue, and in the magistracy; the same lords; the same commons; the same corporations; the same electors. The church was not impaired: her estates, her majesty, her splendor, her orders and gradations, continued the same: she was preserved in her full efficiency, and cleared only of a certain intolerance, which was her weakness and her disgrace. The church and the state were the same, after the revolution, as they were before; but better secured in every part.

"Was little done, because a revolution was not made in the constitution? No; every thing was done, because we began with reparation, not with ruin. Accordingly, the state flourished. Instead of lying as dead, in a sort of trance, or exposed, as some others, in an epileptic fit, to the pity and derision of the world, for her wild, ridiculous, convulsive movements, impotent to every purpose but that of dashing out her brains against the pavement, Great Britain rose above the standard even of her former self. An era of a more improved domestic prosperity

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then commenced, and still continues, not only unimpaired, but growing under the wasting hand of time. All the energies of the country were awakened. England never presented a firmer countenance, or a more vigorous arm, to all her enemies, and to all her rivals. Europe, under her, respired and revived; every where she appeared as the protector, assertor, or avenger of liberty. The states of Europe lay happy under the shade of a great and free monarchy, which knew how to be great without endangering its own peace at home, or disturbing the internal or external peace of its neighbors."

In replying to these just and admirable sentiments, thus forcibly expressed, Mr. Fox acknowledged, that every man must regret the scenes of bloodshed and cruelty, which had been acted in France; but still, when the severe tyranny, under which the people had so long groaned, was considered, the excesses they committed in their endeavor to shake off the yoke of despotism, might, he thought, be spoken of with some degree of compassion; and he was persuaded, that, unsettled as their present state appeared, it was preferable to their former condition; and that ultimately, it would be for the advantage of this country, that France had regained her freedom. He differed from Mr. Burke, in his opinion of the revolution in 1688. From that period we had undoubtedly to date the definition and confirmation of our liberties; and the case was certainly more nearly parallel to the revolution in France, than his right honorable friend seemed willing to allow.

Mr. Sheridan declared, that he differed decidedly from Mr. Burke, in almost every word which he had uttered respecting the French revolution; and that he could not conceive,

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how it was possible for any man, who valued the British constitution, and revered the revolution which obtained it, to unite with such feelings an indignant and unqualified abhorrence of all the proceedings of the patriotic party in France. He considered their's as just a revolution as our's, originating from as sound a principle, and from a greater provocation. He vehemently defended the general views and conduct of the national assembly; and could not even understand, how men could be charged with having overturned the laws, the justice, and the revenues, of the country, who had, in all cases, interfered with zeal and alacrity, for the maintenance of order and just subordination. To traduce the national assembly, was, in his mind, to libel the whole French nation: whatever was great and good in France, must be looked for there, or no where. He paid high compliments to several of its members, who had been most instrumental in effecting the revolution.

This extraordinary speech called up Mr. Burke again, who said, he most sincerely lamented the inevitable necessity under which he felt himself, of now publicly declaring, that henceforth Mr. Sheridan and he were separated in politics. As a sincere and firm friend to real freedom, he was concerned to find, that there were persons in this country, who entertained theories of government not consistent with the safety of the state, and were perhaps ready to transfer, a part at least of that anarchy, which prevailed in France, to this kingdom, for the purpose of effectuating their own designs. He professed the greatest attachment and reverence for the constitution, and his determination to stand forward in its defence, on all occasions. In speaking of the state of France, he said,

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that he thought all substantial power now resided in the republic of Paris, whose authority guided, or whose example was followed by, all the other republics of France. The army was under the orders of the republic of Paris, and not under those of the national assembly.

Mr. Pitt shortly expressed his concurrence with Mr. Burke, in every point he had urged relative to the late commotions in France—at least in all fundamental principles they coincided, although he might, perhaps, differ from him in some particulars. He drew a comparison between the happy and genuine freedom enjoyed by Englishmen, and the unqualified nominal liberty of France, which was, in fact, at the present moment, the most absolute, direct, and intolerable slavery. He felt himself bound to acknowledge, that the sentiments, that day delivered by Mr. Burke, respecting the British constitution, afforded him the sincerest satisfaction; and the manner, in which he had pledged himself to maintain it for ever inviolate, against all attempts to shake and enfeeble it, under whatever mask they might be made, entitled him to the gratitude, not only of the present generation, but of the latest posterity.

These declarations of contrary opinions by Mr. Fox and Mr. Burke, which were occasionally repeated in the course of the session, upon the important and interesting event of the French revolution, were mixed with strong expressions of personal regard and respect; but it was evident, that if the infection of French principles should ever extend to the subjects of this kingdom, so far, as to call for the interposition of government, these two eminent men, who, from the time

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Mr. Fox quitted office under lord North in 1774, had been closely connected in political life, would unquestionably adopt opposite lines of conduct; and it was equally clear, that there would, in that case, be a division also among other persons of great consideration and weight in the country, who had, for a long series of years, acted together as a powerful party in parliament, uniformly adverse to the measures of Mr. Pitt's administration, except on some few very particular occasions.

On the 10th of June, the king put an end to the session; and in his speech from the throne, he informed the two houses, that he had not received an answer to the representation which he had directed to be made to the court of Spain, in support of the dignity of his crown, and the interests of his people: he expressed a strong desire for the maintenance of peace, on just and honorable grounds; but under present circumstances, he felt it indispensably necessary to proceed, with expedition and vigor, in preparations for war; and his allies had evinced, in the most satisfactory manner, their determination to fulfil the engagements of existing treaties.

He next acquainted them with his intention of immediately dissolving the present, and of calling a new parliament; and in signifying that intention, he could not omit to assure them, that he should ever entertain a deep and grateful sense of the affectionate and unshaken loyalty, the uniform and zealous regard for the true principles of our invaluable constitution, and the unremitting attention to the happiness and prosperity of his people, which had invariably directed all their proceedings; and the good effects of which were manifested by the

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rapid increase of our manufactures, commerce, and navigation, the additional protection and security afforded to the distant possessions of the empire, the provisions for the good government of India, the improvement of the public revenue, and the establishment of a permanent system for the gradual reduction of the national debt: these were unequivocal proofs of their resolution in encountering the difficulties with which they had to contend, and of their steadiness and perseverance in the measures best adapted to promote the essential and lasting interests of his dominions.

His majesty concluded by observing, that as the loyalty and public spirit, the industry and enterprize of his subjects, had seconded these exertions, so he could rely on their sense of the advantages which they at present experienced, as well as on their uniform and affectionate attachment to his person and government, for a continuance of that harmony and confidence so eminently displayed during the present parliament, which must at all times furnish the surest means of meeting the exigencies of war, or of cultivating, with increasing benefit, the blessings of peace.

On the following day, the parliament, which had sat seven sessions, and more than six years, was dissolved by proclamation.

THE ministers were sincerely desirous of avoiding hostilities with Spain, and therefore, while they were making the most vigorous preparations for war by sea and land, and taking measures for attacking the Spanish possessions in the West

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Indies, and America, they dispatched Mr. Fitzherbert to Madrid, where he arrived at the beginning of June, with full powers to settle the points in dispute between the two countries. The court of Spain transmitted to all the other courts of Europe, a declaration, dated June the 4th, for the purpose of explaining the grounds upon which the Spanish commander had acted at Nootka; and on the 13th of that month, the first secretary of state, count Florida Blanca, addressed a memorial to Mr. Fitzherbert, in which, after asserting "the indubitable right of the crown of Spain to the continent, islands, harbors, and coasts" of that part of the world, founded on treaties and immemorial possession, and complaining of the "harsh and haughty language of the English ministry," he said, that as the viceroy of Mexico had released the vessels which had been detained, "the king, his master, looked upon the affair as concluded, and was disposed to rest satisfied, provided Great Britain ordered her subjects in future to respect the rights of Spain."

It may be observed, that the treaties, here alluded to, only recognized the rights of the crown of Spain to its territories and possessions in the West Indies and America; but did not convey or imply any general and exclusive right to the whole western American coast, which was the claim now set up. It was acknowledged, that Spain had no settlement or colony at Nootka sound; and consequently it became, by the law of nations, the property of the first occupiers, who should settle there, with the consent of the natives. Immemorial possession was certainly a most extraordinary ground of claim, on the

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part of Spain, to a country, which had been but recently known to Europeans.

Mr. Fitzherbert, in answer to count Florida Blanca's memorial, urged, that the bare release of the vessels was not an adequate satisfaction for the insult offered to the British flag, and that his sovereign was fully justified, by the law of nations, in requiring a prompt and suitable reparation for those acts of aggression and violence, which had been committed against British subjects, by a naval officer in the service of Spain, as a necessary preliminary to a friendly negotiation. To this demand, an evasive reply was sent, and there seemed reason to apprehend immediate war. Thirty ships of the line were collected at Cadiz; and application was made to the French government for that assistance to which the king of Spain was entitled, and on which he had from the first fully relied, agreeably to the stipulations of the family compact*. A decree, which was accordingly passed by the national assembly, for the equipment of a fleet to act with Spain against Great Britain, afforded the French sailors an opportunity of shewing, that they too had shaken off all subordination and discipline, and were in every respect as licentious and disorderly as the soldiers. Besides being guilty of great excesses in the port and town of Brest, they refused to serve under any officers, except such as they themselves approved; they instituted committees to report upon the professional qualifications

* This treaty between France and Spain was signed at Paris, August 15th, 1761, and established a strong defensive and offensive alliance between the two branches of the house of Bourbon.

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as well as the political principles of their commanders, and cashiered some, and appointed others at their pleasure. It was obvious that men, so little under command, were not likely to prove useful allies, and that there must be great danger of their communicating their principles to the Spanish sailors, in case of the junction of the two fleets. It was, therefore, generally supposed, that this state of the French navy, which precluded all hope of effectual co-operation, and which could not have been foreseen when orders were given for the seizure of the ships at Nootka, added to the great superiority of the British over the Spanish navy*, caused the Spanish ministers to be extremely desirous of bringing the dispute with Great Britain to an amicable conclusion; and they were now probably more disposed to submit to the required concessions, from a conviction, contrary to their former suspicion, that the British government had in reality no hostile intentions whatever against the Spanish colonies in America; and that, the present point of difference being settled, there was a fair prospect of the continuance of peace between the two countries. Accordingly, on the 24th of July, count Florida Blanca sent to Mr. Fitzherbert a declaration, in which he explicitly said, that the king of Spain was willing to give satisfaction for the injury of which his Britannic majesty had complained, by making restitution of the British vessels and property seized at Nootka, and indemnifying the parties interested for the losses they had respectively sustained. On the same day, Mr. Fitzherbert returned a counter declaration, in which he announced the

* The navy of Great Britain at this time consisted of 158 ships of the line, and that of Spain of 70.

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readiness of the king, his master, to consider the declaration of the court of Spain, together with the performance of the engagement it contained, as a full and entire satisfaction for the injury which had been received.

A negotiation was immediately commenced at Madrid, and on the 28th of October, a convention was signed by the ministers of the two courts, by which it was agreed, that all the land and buildings, of which British subjects had been dispossessed on the north-west coast of America, should be restored to them; that a just compensation should be made for all acts of violence and hostility committed at Nootka; that the subjects of Great Britain should not be disturbed or molested in carrying on their fisheries in the South Seas, or in making settlements on the coasts of those seas, in places not already occupied, for the purposes of commerce with the natives of the country; that no settlement should be made by the subjects of either nation, whether on the eastern or western side of America, nearer to Cape Horn, than the most southern of the present Spanish settlements; and, on the other hand, the king of Great Britain engaged to take the most effectual means for preventing his subjects from carrying on illicit trade with the Spanish settlements, with which view it was stipulated, that British subjects should not navigate or fish within ten leagues of any part of the coast occupied by Spain.

Thus did Mr. Pitt vindicate the insulted honor of his country, and without having recourse to actual hostilities, obtain, not only the restoration of the settlement on the north-west coast of America, where it was expected that a valuable fur trade might be carried on; but an indemnification for past injuries

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and losses, and a direct acknowledgement from the court of Spain, of the right of British subjects to continue their fisheries in the South Seas—a right which had hitherto been always controverted—in such clear and unequivocal terms, as to preclude the possibility of all future disagreement or doubt.

This termination of the dispute with Spain was highly satisfactory to the people of Great Britain; and was thought of sufficient importance to call for congratulatory addresses to his majesty, from the cities of London, Bristol, and Glasgow. It raised also the character of this country in foreign courts. Lord Auckland, who was at this time ambassador at the Hague, in writing upon this subject to Mr. Pitt, said, "I am convinced, that if less firmness, energy, and activity had been shewn on our part, or even that if our fleet had not been found in the most perfect and readiest state that has been known in the annals of Great Britain, the reparation made to us would have been incomplete, and our farther objects would have been utterly unattainable otherwise than by war. With respect to the articles of the convention, I think them perfect, and not open to any fair cavil. Our worthy and wise friend the Pensionary, has perused the whole with great complacency, and said, when he had done, that he should not feel easy, until he should somehow in the course of his life have an hour's conversation with you. In short, there never was a business better conducted or better concluded; and there never was a moment, in which our country held such pre-eminency among nations,—and that pre-eminency stands on a firm foundation, on the recollection of the naval strength which we have exhibited to the world." The expedition with which a powerful

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fleet had been equipped upon this occasion, and the effect it contributed to produce, were the more gratifying to Mr. Pitt, as his brother, the earl of Chatham, was at this time first lord of the admiralty.

EARLY in the summer, the national assembly had decreed, that a general festival of confederation should take place on the 14th of July, the anniversary of the destruction of the Bastile in the preceding year; and the Champ de Mars, a large field near Paris, was prepared for this grand occasion. Seats, rising in the form of an amphitheatre, were erected for the accommodation of nearly half a million of persons; and in the centre was placed an altar, at which the king, the national assembly, deputies from all the departments, delegates from all the regiments stationed in the provinces, soldiers quartered in the metropolis, and its other inhabitants, swore to maintain the constitution against all opponents, and to continue free, or to perish. The same oath was taken on the same day, throughout the kingdom; and the object of this solemnity probably was, not merely to commemorate the event it professed to celebrate, and to honor the day which was considered as the dawn of liberty, but to confirm, and as it were to legalize, the revolution, by the universal suffrage of the people, and the personal obligation of every individual, as far as it could be obtained. This was perfectly conformable to the designs of the leading members of the national assembly, and strongly marked the systematic plan and deliberate caution by which their proceedings were uniformly directed.

Mr. Necker, who had been the idol of the French nation,

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not only lost his popularity about this time, but was, upon several occasions, treated with the grossest disrespect and contempt by the national assembly. Fearing, therefore, that if he remained in France, he should share the general fate of those, who had rendered themselves obnoxious to the ruling powers, he wrote a letter of resignation to the assembly, on the 4th of September; and immediately departed for Switzerland, his native country.

The national assembly having usurped all executive as well as legislative power, it was of very little importance, by whom the official situations were filled, although, as the forms of monarchy were in a great measure retained, the appointment of ministers was still made, and public business continued to be transacted, in the name of the king.

Besides the information received by our government, of what was passing in France, through the regular channel of the embassy, Mr. Pitt obtained private intelligence, by means of various other persons; and in particular there was at this time, a gentleman resident at Paris, of considerable diplomatic experience, from whom he learnt, upon authority which could not be questioned, that Mirabeau and his party were well disposed towards England; and that while our negotiation with Spain was depending, they did not in reality encourage that court to persevere in its claims, although they did not object to the equipment of a French fleet. The knowledge of those circumstances was of great importance to the English ministers. The following letter, written early in October 1790, to the gentleman alluded to, will shew Mr. Pitt's sentiments

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upon the then state of affairs in France and Spain, and the principles upon which he acted with respect to both countries.

" Dear Sir,

" I am extremely glad to find, by your letter, that you have succeeded so well in opening a confidential intercourse with the leaders of what appears to be the ruling party in France. Great advantages may perhaps be derived from this circumtance, in the present critical situation. I imagine, indeed, from your account, that we can hardly hope, in case war should take place with Spain, and should last for any time, that France will not ultimately take part in it.

" But I think there seems to be a reasonable prospect that the persons, with whom you communicate, may be brought to make such representations to the Spanish court, even if a rupture should have taken place, as may lead to a speedy restoration of peace, by a settlement of the points in dispute, conformably to the principles on which we have hitherto insisted. At least it may be fairly expected, that no immediate decision will be taken in France, to give actual succour to Spain, on the commencement of hostilities. And this point alone, if nothing more should finally be obtained, will be of great consequence, as it will give us considerable advantage in our first operations.

" With respect, however, to the steps to be taken for bringing Spain to accede to our terms, great care must be taken that the French shall not appear as *mediators*, still less as *arbitrators*; and on this point I wait with great impatience for the more

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particular account which you promise to send me, of lord Gower's* ideas and your's, after the next interview which you were to have with the members of the diplomatic committee. I am inclined to think it may be adviseable that lord Gower should be empowered, on the first news of a rupture, to communicate to the French ministry, a statement of the terms on which Mr. Fitzherbert has been instructed to insist, and of the grounds on which they are supported. If such statement should be laid by the ministry, before the diplomatic committee, or the national assembly, and a decree could be obtained, declaring, that those terms ought to be accepted by Spain, such a measure would be highly satisfactory. But I can hardly imagine that any thing so decisive can be obtained, unless they should be so far satisfied with our conduct, as to determine not in any case to support Spain, until she is willing to accede to the terms which we have proposed. Even, however, if this should happen, it is to be observed, that the war having once taken place, these terms may not appear to us sufficient, unless they should be accepted by Spain, within *a very short period.* The desire of restoring tranquillity would, in all events, incline this country to great moderation; but, if the war should last any time, and our operations should have been successful, we shall hardly be expected to make peace, without gaining some farther advantage to compensate for our expence. This, however, must be a point wholly of subsequent consideration. If, instead of a decisive approbation of our terms, the assembly or the committee should approve them only in part, and should suggest any different terms, which they may think reasonable,

* Lord Gower was the British ambassador to the court of France.

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the situation will be much more delicate. Very little good can follow from such a measure, except that by the time which would probably be necessary for answers both from this country and Spain, any hostile decision on the part of France would be retarded, which I have already stated to be a considerable advantage to us. No progress, however, will be made in this way, either towards the restoration of peace (supposing a rupture to have taken place) or towards keeping France ultimately out of the war; as it must be impossible for us, at the suggestion of a third power, to recede, in any point, from the terms of the ultimatum which we have sent to Spain.

"There are two other points, to which it is essential to attend in the whole of this business.

"The first of these is, what seems, indeed, by your letter to be already fully understood, that, whatever confidential communications may take place with the diplomatic committee, for the sake of bringing them to promote our views, no ostensible intercourse can be admitted but through the medium of accredited ministers, or the secretary of state for foreign affairs, and that in the name of the king.

"The second point, which is of still more importance, is, that no assurances shall be given, directly or indirectly, which go farther, than that this country means to persevere in the neutrality, which it has hitherto scrupulously observed with respect to the internal dissensions of France, and from which it will never depart, unless the conduct held there should make it indispensable as an act of self-defence; and that we are sincerely desirous of preserving peace, and of cultivating, in general, a friendly intercourse and good understanding

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between the two nations. But the utmost care is necessary, under the present circumstances, to use no language, which can lead to an expectation of our taking measures to forward the internal views of any political party, or of our being ripe to form any alliance between the two countries, which, even if such a thing should be really wished in France, various events might make it impossible for us to accede to, and which would, in any case, at least require great consideration.

" I am, with truth and regard,
Dear sir,
Your's, most sincerely,
W. PITT."

The interview, mentioned as expected in the above letter, took place, and the deputation from the diplomatic committee consisted of Freteau, their president, Menon, an active member, and Barnave, soon afterwards president of the national assembly, to whom were more particularly explained the pacific views and wishes of the English government; and the committee, upon hearing the report of their deputation, unanimously resolved, de saisir tous les moiens de rapprochement vis-à-vis de l'Angleterre, qui pouvoient tendre ou à prévenir la guerre ou à en arrêter le progrès. This resolution was to be communicated to the French minister Montmorin, and to Mr. Pitt. It appears that, before the explanation thus given, a suspicion prevailed in the minds of the principal members of the national assembly, that England intended to take advantage of the disturbed state of France, in revenge for her conduct in the American war, and for the purpose of extending

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the British dominions in the West Indies. They had even imagined, that this was the real design of our armament, although professed to be on account of the dispute with Spain. It seems certain that, at this time, there was no wish for war with England, in the ruling party in France; and that they were desirous of preventing war between England and Spain.

In the course of this year, hostilities broke out in the southern parts of India, which gave rise to much discussion in the succeeding sessions of parliament. The Dutch had been in possession, about 150 years, of two forts, Cranganoore and Jacottah, which had previously belonged to the Portuguese, for a similar period. These forts were situated between Mysore, of which Tippoo Saib was at this time sultan, and Cochin, the most valuable settlement Holland possessed in India. Hyder Ally, the father of Tippoo Saib, immediately before his rupture with the English in 1780, had seized and garrisoned Cranganoore, for the protection of his dominions on that side, under pretence that it belonged to his tributary the rajah of Cochin; but in the progress of that war, in which he was unsuccessful, the Dutch recovered it, and it was secured to them by the peace of Mangalore in 1784. Tippoo, however, having succeeded to the throne of Mysore, laid claim to this fort; and it being understood, in the summer of 1789, that he was preparing an army for the purpose of seizing it, the Dutch, unwilling to engage in war with so powerful a prince, sold both the forts of Cranganoore and Jacottah, to the rajah of Travancore, to the safety of whose territories they were of great importance, and who had long wished to possess them. Tippoo,

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irritated at this disappointment, and alleging that the sale, without his consent, as their feudal sovereign, was both invalid and insulting, made an attack, in December, on the lines of Travancore, from which he was repulsed, with considerable loss; but, collecting a larger force, he made himself entirely master of them, in the following March; after which he besieged and took Cranganoore, Jacottah, and several other lesser forts.

The rajah was an ally of our East India company, and it was well known that Tippoo sultan had inherited both his father's ambition, and his inveterate enmity to the British interests in India*. The governors of Bengal and Madras, therefore, remonstrated against this conduct of Tippoo, and offered their mediation; at the same time announcing, that they should consider his perseverance in the invasion of Travancore, as a declaration of war against the company; but it being soon evident, that he would not agree to an amicable adjustment, general Medows, in June, marched against him at the head of 15,000 men.

This army retook some of the forts; but, not being able to bring Tippoo to a decisive engagement, returned to the neighborhood of Madras towards the end of the year. In the mean

* Tippoo's territories were contiguous to those of our East India company, for the length of 450 miles. In a letter, dated Fort St. George, September 1787, sir Archibald Campbell, then governor of Madras, informed Mr. Pitt, that Tippoo had lately sent ambassadors to France, with valuable presents, amounting to above half a million sterling. He added, "the object of this mission is, to obtain from the French the use of six or eight thousand Europeans, on his paying for them; for which he has offered to cede to the French all the countries he shall conquer from the English in the Carnatic, by the assistance of these troops."

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CHAP. XII. 1790.

time the Mahrattas, the nizam of the Deccan, and the nabob of Arcot, had promised to co-operate zealously with the English: and sanguine expectations were entertained, that the next campaign would be more successful.

In June, of this year, Mr. Pitt was unanimously chosen high steward of the university of Cambridge, in the room of the late earl of Hardwicke; which honor was conferred upon him, with the following address:

Honoratissimo viro
GULIELMO PITT
Regiæ Majestati à Sanctioribus Consiliis
Præfectorum Ærario Principi
Regii Scaccarii Cancellario
Academiæ Cantabrigiensis Burgensi
Summo ejusdem Seneschallo designato.—

Quin patiare, vir ornatissime, nostro ut lætemur nomine, justissimoque solvamur gaudio, quòd summo nuperrimè orbata seneschallo, perfugium et patronum te agnoscat academia.

Diu jam est quòd propensissimum tuum erga nos perspeximus studium; quòd privilegia nostra, jura, et consuetudines defendenda tibi auspicatissimè delegavimus: nec mirum ideo, si qua ultra tui detur copia, quòd eam illicó amplectamur, eam frequentissimo senatu, insolitâ antehac assensione, plenissimisque suffragiis, poscamus omnes et postulemus.

Munus hoc haud multum, confitemur, tibi allaturum dignitatis; atque inconsulti forsan videamur, qui tale nomen nostræ tenuitati præficiamus.—At circumspicientibus nobis quâ potissimum manu, quove tutelari favore, se suaque de cætero firmet, ornetque academia, solus tu ante oculos obversaris: non enim obliti sumus, quo virtutis, quo eruditionis fundamine, in tantum tua creverit amplitudo; non eximiam illam, à pueritiâ usque, malè intelleximus indolem; neque nescivit academia mater, quantum jam olim habuerit, in quo de tam illustri superbiret nato.

Felices vero nos quorum negotiolis vaces, summis ipse occupationibus districtus;

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quorum minutulis interesse rebus non dedigneris ipse interim libertatis publicæ vindex, in aure, in animo regis augustissimi constitutus, qui reipublicæ tot annis tam feliciter sis moderatus, quique unus omnium is esse videaris, ex quo vel Britanniæ ipsius pendeat salus.

Quòd ad tale autem accesseris fastigium, quòd æquales omnes longo reliqueris intervallo, quòd maximarum rerum molem tuo solus rotes pondere, non est cur illud miretur quisquam, quem non aut tua latuit virtus, quem fides, quem par negotiis omnibus animi vigor, et in arduis exploratissima promptitudo.

Talis ergo cum sis, ne pudeat te quòd noster nunc propinquiùs audias; quòd gravissimis imperii rebus cum satis inclarueris, inter literarum ornamenta recenseare, quòdque cum universo populo deberis, nos etiam te, partem jam nostri maximam, vindicare audeamus.—Neque enim tibi, si te benè novimus, illa non potest perplacere provincia, quâ præsidere literis quas semper coluisti, quâ patrocinari academiæ quam adamasti adeo, quâ nobis demum præsidio esse possis, quibus olim fueras ornamento.

Sumus,
Vir honoratissime,
Tibi
Omni observantiâ, et studio
Devinctissimi,
Procancellarius
Reliquusque Senatus
Cantabrigiensis.

Datæ è Senaculo nostro
5^to^ calend. Junii
1790.

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CHAPTER THE THIRTEENTH:

1790.

War in the North of Europe—Meeting of new Parliament—Spanish Convention—Expences of the late armament—Continuation of Mr. Hastings's Trial—War in India—Russian Armament—Quebec Bill—Slave Trade—Finance Committee—Budget—Bill for the Relief of Protesting Roman Catholics—Prorogation.

CHAP. XIII.

IT is now necessary to give a short account of the war, which had been for some time carried on in the north-east of Europe, and which we have seen noticed in several of the king's speeches, as at the period, at which we are arrived, there was a probability of England being actively involved in it.

Hostilities were commenced in the summer of 1787, by the Porte against Russia, in consequence of repeated encroachments on the part of the Russians, and their endeavors to excite disaffection and rebellion in Egypt, and other parts of the Turkish empire. The empress Catharine may therefore be considered as the real aggressor in this war, which, in fact, owed its origin to her desire to reduce the power of the Turks, and, if possible, to wrest from them all their European dominions. A general belief, indeed, prevailed, that she aimed at nothing less than placing her second grandson upon the throne of Constantinople. Instead, however, of avowing any such design or wish, she prevailed upon Joseph the second, emperor of Germany, by the promise of the Turkish provinces

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contiguous to Hungary, to join in the war against Turkey, in the beginning of 1788; and the king of Sweden having declared war against Russia, in the middle of that year, the influence of the empress caused Denmark soon after to invade Sweden with a powerful army. It was evident, that Sweden could not have withstood the joint attacks of Russia and Denmark; and as the ruin of that kingdom would have materially affected the balance of power in the north, Great Britain and Prussia notified their intention to engage in the war, if Denmark did not withdraw her troops from Sweden: she consented, after some hesitation, in November of that year, and from that time remained neuter. This was more immediately owing to the spirited and judicious exertions of the English minister at Copenhagen*, acting under directions from his own government, and proved the importance of that alliance, which Mr. Pitt had been so eager to form between Holland and the courts of London and Berlin, as a check to the ambition of the empress Catharine, which was the more to be dreaded, on account of the ascendancy she had gained over the emperor of Germany.

The war between Sweden and Russia continued till August 1790, when it was unexpectedly terminated by a treaty, the principal articles of which were, that the places taken on each side should be restored, and that the frontiers should be put exactly into the same state in which they were before the war. Peace was convenient to both parties: Sweden had suffered so much, particularly in her navy, that she was no longer able to maintain the contest; and Russia was desirous of being left

* Mr. Hugh Elliott.

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at liberty to prosecute the Turkish war, with undivided attention, and with her whole military strength.

The armies of the Porte, although on several occasions they fought with great bravery, and with considerable success, especially against the Austrians in 1788, were by no means able to resist the united forces of the two empires, even while a part of Catharine's troops was employed against Sweden. The losses of the Turks in the campaign of 1789, both in men and territory, were indeed so great, that apprehensions were entertained for the safety of Constantinople itself. The subversion, or even any considerable dismemberment, of the Turkish empire, would so obviously have operated to the disadvantage of the other nations of Europe, that the allied powers made a strong representation upon the subject, to the courts of Vienna and Petersburgh; and to shew that they were in earnest, the king of Prussia collected a large army, for the avowed purpose, if necessary, of assisting the Porte. These circumstances had probably great weight in inducing the emperor so far to listen to overtures of peace, made by the Ottomans, towards the end of 1789, that he agreed to the holding a congress at Bucharest, to conduct the negotiation; and the empress of Russia authorized prince Potemkin to propose terms of pacification to the Porte. This congress, however, entirely failed in all its objects; and the king of Prussia was so dissatisfied with the court of Vienna, and so impressed with the danger which must attend the farther progress of the imperial troops in the Turkish dominions, that, at the end of January 1790, he entered into a close alliance with the Ottoman Porte, and was upon the point of attacking the

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Austrian territories, when the death of the emperor, on the 20th of February in that year, produced a most material change in the situation of affairs.

Joseph dying without issue, his brother, Leopold, grand duke of Tuscany, succeeded to the hereditary dominions of the house of Austria; and the exhausted and unquiet state, in which he found them, soon convinced him of the necessity of accommodating all differences with the king of Prussia, and of putting an end to the war with Turkey. A congress was accordingly held at Reichenback in Silesia, composed of the respective ministers of Leopold, as king of Hungary, of the kings of Prussia and Great Britain, and of the States General; and, on the 27th of July 1790, a convention was signed, by which it was stipulated, that Austria should renounce her alliance with Russia, that a negotiation for peace between Austria and the Porte should be opened as soon as might be practicable, and that, in the mean time, hostilities should cease; and the king of Prussia engaged to give his vote in favor of Leopold, at the approaching election for the imperial throne, upon condition, that he should never form any alliance with Russia, which should prevent him, as chief of the empire, from resisting any attack of that power upon any of the German states. The king of Prussia farther engaged, to co-operate with the maritime powers, in their endeavors to appease the troubles in the Austrian Netherlands; but upon the express condition, that Leopold should restore to them all their antient privileges, which were to be confirmed and guaranteed by the three allied powers. The armistice between Austria and the Porte, took place on the 20th of September, about which

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time Leopold was chosen emperor; and a few months afterwards the negotiations for peace commenced at Sistovia.

In December 1789, the empress of Russia applied to the courts of London and Berlin to exert their influence to prevail upon the Porte to allow, as a ground for a general peace, that the Turkish provinces of Bessarabia, Moldavia, and Wallachia, should be formed into an independent state, to be governed by a christian prince; and, it was understood, that she intended to name her own grandson, Constantine, as the sovereign of this new kingdom. The kings of Great Britain and Prussia replied that, earnestly as they desired the re-establishment of public tranquillity, it was impossible for them to support the condition of peace proposed by her imperial majesty, which was founded upon such a considerable exchange of territory, as could not fail essentially to affect the interests of various European powers, and appeared calculated rather to prolong, and even to extend, the war, than to put an end to its calamities. Catharine, convinced by this answer, that she should not be permitted to carry her ambitious plans into execution, without a struggle; and finding, soon after the death of the emperor Joseph, that she could not expect any assistance from his successor, thought it expedient to relinquish, for the present, the idea of a new independent principality, and offered to make peace with the Porte, upon the general principle of the status quo, retaining only Oczakow, which she had taken from the Turks in 1788, and the country lying between the Bog and the Niester; but as the possession of that fortress, and of the territory between those two rivers, would have added materially to the power of the Russians upon the Black Sea,

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and might hereafter have opened an easy way to Constantinople, from which Oczakow was distant only 190 miles, not a single strong place intervening, the British government did not hesitate to pronounce this proposal also to be inadmissible. The empress, offended at the repeated rejection of her overtures, refused to join the conferences for peace at Reichenback, under the mediation of the allies; haughtily declaring, that she would suffer no foreign interference between herself and the Porte, and that she would continue the war, rather than resign the fruit of all her victories. The British ministers were not discouraged by this language; and Mr. Fawkener was sent to Petersburgh, to try the effect of negotiation.

The new parliament met on the 26th of November; and the king began his speech from the throne, by expressing his satisfaction, that the differences which had arisen between him and the court of Spain, had been brought to an amicable termination, without any actual interruption of the blessings of peace. He then proceeded to state, that since the last session, a foundation had been laid for a pacification between Austria and the Porte; that negotiations were depending, under his mediation, in conjunction with his allies, for a definitive treaty between those powers, and also for putting an end to the dissensions in the Netherlands; that a separate peace had taken place between Russia and Sweden; but that the war between Russia and the Porte still continued.

He acquainted the house of commons, that he had ordered the expences of the late armament, and the estimates for the

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CHAP. XIII. 1790.

ensuing year to be laid before them; and at the end of his speech, after noticing the hostilities which had broken out in India, he called the particular attention of parliament to the state of the province of Quebec.

The usual address of thanks to his majesty, passed in the house of commons without any opposition; and on the 3d of December, Mr. Pitt presented copies of the declaration and counter-declaration exchanged at Madrid, on the 24th of July, and of the convention signed at the Escurial, on the 28th of October, together with an account of the expences incurred by the late armament. These subjects gave rise to the first debates in the present session.

UPON Mr. Pitt's proposing a day for taking into consideration the Spanish convention, Mr. Fox, and some of his friends, asserted, that the papers before the house were not sufficient to enable parliament to form a judgment upon that transaction: they contended, that it was not enough to see the treaty itself, and called upon Mr. Pitt to communicate to the house, every part of the previous negotiation. Mr. Pitt, however, declined to lay before the house any other papers; and therefore Mr. Grey, on the 13th of December, moved for the production of the whole correspondence, which had passed between the courts of Great Britain and Spain; and between the British government at home, and his majesty's ambassador at Madrid, relative to the seizure of the ships at Nootka, and the satisfaction demanded for that act of violence. This motion was followed by a long debate, at the end of which, Mr. Pitt, in replying to Mr. Fox, remarked, that the constitution had

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wisely entrusted the management of all foreign negotiations to the crown, reserving to parliament the privilege of censuring or commending every description of treaty; and, as a proof that it was not the uniform practice of the house of commons, to require all the proceedings of a negotiation to be submitted to them, he reminded Mr. Fox, that he had joined in a vote of censure upon the peace, in 1783; and had since applauded the treaties respecting Holland, without desiring to be informed of the detail of either negotiation. He complained, that Mr. Fox had chosen to construe a refusal of papers, in this particular instance, where their production was not necessary, into an unconstitutional determination to deny them in all. No part of his conduct, he said, warranted such an inference; and he knew not, whether he should give a severer wound to the constitution in saying, that papers should be called for in all cases, or in none. He admitted the general right of parliament to inquire into the conduct of every department of the executive government; but this right was not to be exercised, except upon proper occasions, and upon sufficient grounds. It was evident, that every negotiation of considerable length, might involve particulars most unfit to be disclosed; and the knowledge of which would only gratify curiosity, without answering any useful purpose. It was beneath the dignity of the house, and inconsistent with its legitimate functions, to scrutinize the technical forms of a diplomatic correspondence; but the result was a fit subject for its examination and judgment. In the present instance, ministers had succeeded in the objects they had in view, without incurring the evils of war; and the conditions of the treaty would shew, whether, in the attainment of

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this end, either the honor or the interest of the country had been sacrificed. It was of no national importance, whether this or that letter or memorial had been expressed in the best possible terms—the only point to be considered was, whether the convention itself deserved censure or approbation; and that question the house was fully competent to decide, from the papers already upon the table. No one had stated any ground of suspicion, that there had been neglect or mismanagement in the negotiation; and the dispute being terminated, it was far better not to run the risque of reviving it, or of giving offence to the court of Madrid, by publishing all which had passed at the moment of complaint and irritation, when the two countries were apparently upon the eve of a war; and more especially, as a prospect was now opened, of entering into a friendly intercourse with that power. The production of the papers required, might also reveal circumstances relative to the disposition and intention of other courts, which ought in propriety to be concealed; and, if divulged, might lead to future and serious mischief. These arguments prevailed with the house; and the motion was rejected by a majority of 124, the numbers being 258 and 134.

On the following day a motion was made by Mr. Duncombe, one of the members for Yorkshire, and seconded by Mr. alderman Watson, one of the members for the city of London, for presenting to his majesty an address of congratulation, on the satisfactory issue of the late negotiation with Spain. This motion was objected to, and an adjournment moved, upon the ground, that, papers necessary for information having been refused, it would be equally improper for the house to express either praise or disapprobation. To this it was again replied,

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that the character of the measure did not depend on the detail of the negotiation, but upon the actual result; and it was contended, that the convention, while it continued to these kingdoms the blessings of peace, maintained the honor of his majesty's crown, by providing an adequate reparation for the violence and injury committed, secured to his majesty's subjects the acknowledgment and exercise of valuable rights, which had been long resisted and disputed, and by an amicable and clear arrangement precluded future occasions of misunderstanding with the court of Spain. The motion for adjournment was negatived by a majority of 124, and the address was agreed to, without any further division.

IMMEDIATELY after the meeting of parliament, Mr. Pitt had declared his intention of keeping the expences of the late armament distinct from the current expences of the ensuing year; and Mr. Fox, who approved this idea, inquired, on the day the navy estimates were voted, whether the expence of the encreased number of seamen from 20,000 to 24,000, was to be imputed to the late armament, or to an alteration in the policy of the country, with respect to what was deemed the necessary peace establishment. Mr. Pitt replied, that part of the expence of the encreased number of seamen might fairly be ascribed to the late armament, inasmuch as it was impossible to disarm all at once: he did not, however, mean to say, that the proposed number of seamen was solely owing to that cause: he made no scruple to declare, that there were circumstances in the present situation of Europe, which occasioned his majesty's ministers to think it necessary to keep up a naval armament

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for a time, to an increased extent; but he trusted, that a few months would bring that necessity to a period. Mr. Fox expressed himself satisfied with this candid explanation.

All the different expences incurred by the late armament, including the additional number of seamen, voted for the service of the following year, amounted to 3,133,000*l.*, every part of which, Mr. Pitt, after a full consideration of the financial state of the country, determined to defray, without entailing any permanent charge upon the revenue. To raise so large a sum within a short period, inevitably required the imposition of heavy taxes; but this unpleasant task he willingly undertook, from a desire of affording to the world a substantial proof of the resources of the country, and of the readiness of the people to submit to burdens, which the vindication of the national honor had rendered necessary; and to this he was farther encouraged, by an earnest wish not to interfere with the operation of the sinking fund. Instead, therefore, of having recourse to a loan, and providing permanent taxes for the payment of the interest only, in the manner practised by all other ministers since the revolution, he proposed to discharge the principal within four years, by the assistance of taxes, the duration of which should be confined to that limited time; and the day after the address of congratulation was voted, he submitted to the house a plan for carrying into effect this spirited and patriotic determination.

After explaining the principle, and expatiating upon the advantage of the object he had in view, he stated that there was lying in the bank a considerable sum, of which parliament might with propriety avail itself upon the present occasion.

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Money, he said, was issued from the exchequer to the bank every quarter, for the payment of the whole of the dividends upon the public stocks then due; but, some of the proprietors omitting to call for their respective dividends, a balance always remained in the bank, which, on the 12th of last October, amounted to 660,000*l.* He observed, that the governor and company of the bank stood in the situation of agents to the public; and receiving for their agency a competent allowance, they were not entitled to any indirect profit from a balance to be left in their hands, greater than was sufficient to meet the demands which might be made upon them. He, therefore, thought it fair to apply 500,000*l.* of the above balance towards the discharge of the debt incurred by the late armament; and, that the public creditor might not be exposed to any loss or inconvenience, he proposed to make the consolidated fund responsible for those dividends, whenever they should be demanded: the probability, however, was, that the balance, instead of becoming less, would continue to increase, as it had hitherto done*. The effect of this measure would be, that the public would have the immediate use of half a million without interest, the proprietors of stock still retaining the same security for the regular payment of their dividends†.

* In 1727, the balance was 43,000*l.*; in 1774 it was 292,000*l.*; in 1786, it was 314,000*l.*; on the 5th of July 1789, it was 547,000*l.*; and, after the Christmas recess, Mr. Pitt stated that on the 8th of January preceding it was 702,995*l.* 1*s.* 3*d.*

† On a subsequent day Mr. Pitt mentioned, that he had carefully looked over the state of cash in the exchequer, for the last five years; and in all that time there were only two weeks, when the ready money there did not exceed half a million. These weeks were during the king's illness.

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Mr. Pitt then proceeded to state the means by which he intended to raise the remainder of the 3,133,000*l.*, which consisted of a temporary increase of the present taxes upon sugar, British and foreign spirits, malt, game licences, and of what were called assessed taxes, except the commutation and land taxes: the whole annual produce of these additional taxes he estimated at 728,000*l.*; and he proposed, that part of them should continue for two, and part for four years. He proposed also to introduce a variety of important regulations, to prevent the evasions and frauds practised in the taxes upon receipts and bills of exchange, which he intended to make perpetual, and from which he expected an addition to the revenue, of 300,000*l.* a year. He considered himself as providing, by these different methods, an augmentation to the income of the country, which would pay off more than half the debt in question, with the accruing interest, in the next two years, and the remainder in the two following; so that all the expences of the armament would be discharged within four years, at the end of which the new taxes would entirely cease.

This proposal for liquidating the whole of the debt, both principal and interest, within so short a period, was highly applauded by persons on both sides of the house; and every part of the plan was adopted, except that, instead of taking a proportion of the unclaimed dividends, the directors of the bank agreed to lend to the public, half a million without interest, so long as a floating balance to that amount should remain in their hands. This alteration, while it equally answered Mr. Pitt's purpose, and was equally advantageous to the public, removed the scruples of some few members, who were

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fearful, that the national credit might suffer by a direct and avowed application of money to the public service, which in fact belonged to individual stockholders, and might be demanded at any moment.

When the speaker presented the bills for these various purposes, to the king, he noticed the novel principle, upon which they were founded, in the following words:

"A large part of this supply has been granted for the purpose of carrying into execution, a measure, the principle of which has received the unanimous approbation of your commons.

"Actuated by a generous and wise policy, they have sacrificed the considerations of temporary convenience, to those which arise from a just regard to the permanent interests of these kingdoms. They have accordingly provided for the complete and speedy discharge of the expences recently incurred, in support of the honor and dignity of your majesty's crown, and the rights of your subjects, without any lasting addition to the national debt, or any embarrassment to that system, which has so effectually sustained and advanced the public credit of the country.

"Your commons, sire, are induced to hope, that their conduct on this occasion, will operate as a salutary example to future times; and that its immediate effect will be, to establish an universal conviction of the internal strength and abundant resources of this country; and consequently to afford an additional security for the continuance of the blessings of peace.—A measure, which is the result of such motives, and which

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leads to such consequences, your commons are persuaded, cannot fail to receive your majesty's most gracious approbation."

A constitutional question of considerable importance, arising out of the trial of Mr. Hastings, was also discussed in the house of commons, before the Christmas holidays, namely, Whether a dissolution of parliament put an end to an impeachment by the house of commons, before the house of lords? Upon the determination of this question it depended, whether the proceedings against Mr. Hastings, could be taken up by the present parliament, where they were left by the last, or whether they must begin de novo. It was understood, that opposite opinions were entertained upon this subject, especially by those members who belonged to the profession of the law; and, as the best means of bringing the point to a regular decision, Mr. Burke, on the 17th of December, in a committee of the whole house, moved the following resolution:—"That it appears, that an impeachment by this house, in the name of the commons of Great Britain in parliament assembled, and of all the commons of Great Britain, against Warren Hastings, esq. late governor general of Bengal, for sundry high crimes and misdemeanors, is now depending." Mr. Burke observed, that this was not an abstract, but a practical, proposition, applicable to the particular case; it was a plain assertion of the privileges of the house, as handed down to them by their predecessors, through an uninterrupted succession of 500 years, and to be faithfully transmitted to all future generations. In all the convulsions of our government, in all the struggles,

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contests, and incidental or progressive changes of the functions and powers of the house of commons, this alone had remained immutable, that an impeachment was never to be defeated by collusion with a minister, or by the power of the crown. That an impeachment abated by a dissolution of parliament, was not to be found, in plain express terms, on the journals of the house of lords, on the journals of the house of commons, or in the minutes of the conferences between the two houses. It was as little to be found in any book of authority, or in any good report of law cases. The house of commons was the watch, the inquisitor, the purifier of every judicial and executive function; and were this privilege to be abandoned, or rendered nugatory, we should lose the best security for the impartial administration of justice, and the most powerful check against the abuse of political power.

This resolution gave rise to a debate of unusual length*, and afforded an opportunity for the display of great ingenuity and research. Mr. Erskine immediately followed Mr. Burke; and, at the end of a long and elaborate speech, in which he attempted to prove, principally from the practice of the courts of law, and from what he termed legal analogies, that a dissolution did put an end to all proceedings of a depending impeachment, he moved, that the chairman should leave the chair, for the purpose of appointing a select committee to search for precedents, to be formally reported to the house, as a necessary guide to their ultimate decision.

After several members had spoken on both sides, Mr. Pitt took a comprehensive view of the question, upon the grounds

* The debate lasted, by adjournments, three days

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of precedent, the principles of the constitution, and the authority of eminent lawyers; noticing, as he went on, the arguments and objections of those who had preceded him in the debate.

He began by observing, that precedents had been consulted by several honorable and learned gentlemen, with the laborious industry, no doubt, of many months investigation; but those adduced, in favor of impeachments abating upon a dissolution of parliament, were in number so few, and of such questionable authority, in his opinion, as clearly to evince the weakness of the cause, without the smallest reflection upon the abilities of the learned advocates, who supported it. After the most diligent and accurate examination in his power, of the subject under discussion—after deliberating, for a length of time, upon every possible ground on which it could be argued—he came prepared to deliver his sentiments, how far impeachments were affected by a dissolution of parliament.

The first point to be ascertained was, he said, whether any evidence existed of an uniform practice observed by both houses, in their conduct of impeachments, which might be considered as the law of parliament in such cases. If there were precedents, which clearly established the point, that, from the usage of parliament, impeachments did abate by a dissolution, he would bow in silence to the authority; but would lose no time in providing a remedy against a practice, the tendency of which was hostile to the privileges of the house, and destructive of the liberties of the country. No one would say, that such precedents ought to be relied upon, in preference to the fundamental principles of the constitution. But he was

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happy to find, that there existed no evidence of such uniform rule of parliamentary practice. From a dispassionate examination of the different precedents, he did not hesitate to assert with confidence, and the sequel, he trusted, would abundantly justify the assertion, that impeachments did continue in statu quo from parliament to parliament.

That impeachments did not abate by a dissolution of parliament, was a doctrine sufficiently recognized and well established, by many early precedents in our history*. Cases might be adduced from the reigns of Richard the second, and his immediate successors; but he should only mention the case of the duke of Suffolk, in the reign of Henry the sixth, from which it appeared, that impeachments were then considered as continuing from parliament to parliament. In his reference, however, to precedents, he did not mean to confine himself to the more doubtful decisions of antiquity; but should advance to more modern times, and advert to instances better ascertained, and more immediately applicable to his present purpose.

In the year 1673, the house of lords directed the committee of privileges to consider, "whether an appeal, either by writ of error or petition, being depending, and not determined in one session of parliament, continue in statu quo, to the next session of parliament, without renewing the writ of error or

* The earliest formal entry of an impeachment is that of lord Latimer, in the roll of the parliament which met in the 50th year of the reign of Edw. 3: this was denominated "the good parliament;" and deservedly, says Walsingham, who lived before the genuine impression of its conduct was worn away. His Hypodeigma Neustriæ was published in 1418, and his history a few years afterwards.

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petition;" and the committee, not confining themselves to appeals, but extending their inquiries to "any other business wherein their lordships act as in a court of judicature, and not in their legislative capacity," declared their opinion in a resolution, which was approved by the house, "That businesses depending in one session of parliament, have been continued to the next session of the same parliament, and the proceedings thereupon have remained in the same state, in which they were left when last in agitation." It is to be observed, that this resolution pronounced, what had been the usage of the house of lords, after a careful examination into the journals, with respect both to criminal and civil cases, many of which were cited at length in the report; and that it included impeachments, although not actually mentioned, in hearing of which the house of lords unquestionably acted as a court of judicature.

Though the report itself was confined to the same parliament, several cases were cited in it, of business continued through different parliaments; but in the year 1678, soon after the dissolution of the long parliament, the committee of privileges were expressly called upon to "consider, whether petitions of appeal, which were presented to the house of lords in the last parliament, be still in force to be proceeded on; as also to consider of the state of the impeachment brought up in the last parliament:" and in their report they stated "that all cases of appeal and writs of error continue, and are to be proceeded upon in statu quo, as they stood at the dissolution of the last parliament, without beginning de novo; and that the dissolution of the last parliament doth not alter the state of

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the impeachment brought up by the commons in that parliament*."

To this precedent, thus clear and decisive, three objections, Mr. Pitt said, had been taken, to invalidate its authority.—First, it had been denominated a very precipitate proceeding, but of this no proof had been adduced; and indeed the report itself was only an obvious deduction from the principles laid down in the former decision; and it was expressly mentioned, that the house agreed to the report, "after some time spent in consideration thereof."

Secondly, it had been objected, that the critical juncture of affairs, during the ferment of party violence, occasioned by what was called the popish plot, probably contributed to that part of the report, and consequent resolution of the house, which authorized the continuance of impeachments. The circumstances, however, of the times did not appear to detract from the weight of any part of this report, which was adopted by the unanimous and deliberate judgment of the house, and was professedly founded upon the resolution of 1673, which had no reference to any depending impeachment, and was never suspected of originating from political prejudice, or any other improper motive. But what was the case of the reversal of this decision in 1685, so much relied upon as a precedent in favor of the abatement of impeachments by a dissolution? Did not that reversal take place at the era, when James the second, a popish and bigoted prince, had just ascended the throne; when the parliament was obsequiously devoted to the

* That of lord viscount Stafford, who, in consequence of this report, was tried, convicted, and executed.

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will of the monarch; when the sacrifice of principle was required to be made to practical abuse; when certain popish lords, the supposed favorites of the king, were in prison, and about to be tried in the new parliament, under the authority of the law, as it was then understood and acknowledged, that impeachments were not affected by a dissolution? And how did the house of lords act at such a moment? They rescinded the order of 1678, as far as impeachments were concerned, avowedly for the purpose of screening the popish lords from the impending danger of trial, without any examination into precedents, or even suffering the order itself to be read; and this resolution of 1685 was held in so little repute, that it was never quoted or acted upon, after its immediate purpose was answered. He then would ask, against which of the decisions the objection taken from the circumstances of the times, applied most forcibly, whether to the order of 1678, or to its reversal in 1685? Unquestionably to the latter. The honorable and learned gentleman (Mr. Erskine) had therefore ably and successfully argued against himself, since by this objection he had clearly proved the decision itself a good precedent, and its reversal a bad one. So much for the precedent of 1685.

The last objection to the resolution of 1678, was taken from the case of lord Stafford, whose trial, conviction, and execution, the same honorable gentleman had so feelingly described. But how could this instance affect the authority of the precedent in question? Admitting that this unfortunate nobleman was unjustly condemned, was that a legitimate and conclusive argument against the principle of continuing impeachments? Because the fate of one person, from the continuance of

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impeachments, was hard and oppressive, did it therefore follow, that the exercise of such a privilege of the commons would, in every instance, be attended with the same obnoxious consequences? If the abuse of an institution proved its inutility, the objection might apply; otherwise the honorable and learned gentleman's pathetic expostulations would deserve no attention; for, in deciding upon the weight of a dry precedent, our passions ought not to interfere with our judicial deliberations; and it was obvious, that the trial might be undertaken upon legal grounds, although the witnesses examined in the prosecution of it, were guilty of perjury. The credit of the order of 1678 stood, therefore, unimpeached: a precedent, which neither eloquence nor sophistry could possibly invalidate.

The detention of lord Salisbury and lord Peterborough in prison, in 1690, after a dissolution, and several months after the meeting of the new parliament, proved, that the resolution of 1685 was not considered as laying down a permanent rule of law, but as an expedient merely to serve a temporary and improper purpose. In the proceedings relative to those peers, no reference whatever was made to any former decision upon the subject; and their impeachment abated, not by virtue of any usage of parliament, but by the operation of an act of general pardon*.

* There was much dispute before the revolution, concerning the king's power to pardon, in case of parliamentary impeachment. To remove all doubt upon the subject, it was enacted by the act of settlement, 12 and 13 Wil. 3, c. 2, that "no pardon under the great seal of England shall be pleadable to an impeachment by the commons in parliament." "But," says Blackstone, "after the impeachment has been solemnly heard and determined, it is not understood, that the king's royal grace is farther restrained or abridged; for, after the impeachment and

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In the cases of sir Adam Blair, and three other persons, in the same year, 1690, it was true that no attempts were made to go on with the prosecutions in the new parliament; but they had been held to bail subsequently to a dissolution. If the proceedings had abated in consequence of that event, the parties could not have been held to bail: the impeachment being determined, they must have been liberated. But as the proceedings were considered as still pending, unaffected by the dissolution, the parties were bound in a recognizance. The only just inference, therefore, from these cases, was, that impeachments did not abate, in the manner contended for, by a dissolution of parliament.

The same conclusion was deducible from the impeachment of lord Danby, who was not discharged till three dissolutions had taken place. It might here again be observed, that if a dissolution had operated an abatement of impeachments, he must have been released from prison, as a matter of course, upon the first dissolution. On the contrary, after this first dissolution, he applied to the court of king's bench to be bailed; but the judges then refused, recognizing the doctrine, that the impeachment did not fall to the ground in consequence of the dissolution, as the known and established law of parliament. The judges refused to bail him a second time; but, upon a third application, after five years imprisonment, in 1684, when Jefferies had become chief justice, he was bailed; which very act admitted the legality of his being detained in prison,

attainder of the six rebel lords in 1715, three of them were from time to time reprieved by the crown, and at length received the benefit of the king's most gracious pardon."

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and the continuance of the impeachment; and he was at length discharged, because the commons declined to prosecute, without a word being said of any of the intermediate dissolutions.

In the subsequent cases of lords Somers, Halifax, Portland, and the same lord Danby, when duke of Leeds, the several impeachments dropped from the same cause; the commons not prosecuting, the parties were severally discharged. In the last-mentioned case, that of the duke of Leeds, after the impeachment had remained five years, and through several successive parliaments, the lords came to this resolution, that "the commons not prosecuting, the impeachment and articles shall be and are hereby dismissed;" again passing over in silence the resolution of 1685, as worthy of no notice, and implying that the commons might, at that time, have prosecuted the duke upon the articles presented in the former parliament, if they had been so disposed.

On which side of the question, then, did the weight of evidence from precedents, preponderate? Did not the scale fairly incline in favor of the continuance of impeachments from parliament to parliament? The authority of such a body of precedents, in his opinion, clearly, unequivocally, and indisputably established the right of the commons to prosecute an impeachment, until judgment should be obtained, notwithstanding the intervention of a dissolution.

From this review of the evidence to be collected from precedents, Mr. Pitt passed to the consideration of the established principles of the constitution; remarking, that the doubts upon the present question had chiefly arisen, from

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confounding the two different powers of parliament, legislative and judicial, each of which had its separate and distinct limits of duration. Every depending act of legislation, it was well known, was terminated by prorogation as well as by dissolution; but no judicial act was influenced by either. Impeachment, therefore, being a judicial proceeding, could not be affected by prorogation or dissolution. In the case of writs of error and of petitions of appeal, the process continued from session to session, and from parliament to parliament; much more necessary was it, that the proceedings in an impeachment should also continue; for, in the former case, there was only one individual against another, upon a question of a private nature; but in the latter, the house of commons, and all the commons of Great Britain, were parties against a state delinquent, in whose conviction the public was interested. To admit the continuance of writs of error and of appeals, and to insist upon the abatement of impeachments by the operation of a dissolution, would be the grossest absurdity; since, as judicial proceedings, they were branches of the same power, and their connexion depended upon a permanent union of principle.

The impeachment in question, Mr. Pitt contended, was not merely the act of the late parliament, but of the whole commons of the realm, the proceedings being in the name both of constituents and of representatives. It had been asked, if the house of commons, in this instance, were the attornies of the people? In one sense they were, since they might be considered as agents, consulting their own judgment and discretion, in the protection of the interests of their constituents.

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But they were not the attornies of the people, as agents delegated with power to act merely by the instruction of their constituents. Such an acceptation of the term must have his heartiest abhorrence and detestation. An impeachment had been commenced by the commons of England, in the persons of their late representatives; and their present representatives stood in a situation similar to that of the successor of the king's attorney general, who was always required to proceed with all the trials already commenced on the part of the king. It had, however, been objected, that no such body as the commons of England was recognized in law: but how could that be pretended, when our ancestors, with their accustomed wisdom, and as it were to guard against such a solecism in politics, had ordered all supplies to be granted in the name of the commons, as well as all impeachments to be laid in their name, as a permanent body? When once a proceeding of this kind assumed a judicial form, its existence no longer depended upon the individuals who were immediately concerned as instruments in its institution; and it was obvious, that the ends of justice required, that a criminal trial should not be terminated by any thing short of the acquittal or conviction of the person accused. The house of commons was only the legal organ of instituting impeachments in the name of the commons of the realm, as the attorney general was of filing an information ex officio, in the name of the king. The public prosecutors in the one case, were the commons of the realm, and the king was the prosecutor in the other. From the consideration, therefore, of the capacity in which the house, as a judicial and not a legislative body, acted in the

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conduct of impeachments, it followed that their proceedings could not abate, or be affected, either by a prorogation or by a dissolution of parliament. It was evident, that the contrary doctrine would greatly interrupt the course of public justice, and might eventually tend to subvert our excellent constitution. The power of impeachment was a privilege of primary importance to the liberties of the country; it operated as a salutary restraint upon those in administration, and effectually guarded against every undue influence of the crown, in the protection of state delinquency. Ought then the result of an impeachment to depend upon the operation of a dissolution? If it did, there would be an end to official responsibility: the most flagrant acts of corruption, oppression, and injustice would pass with impunity; for the party impeached might procure, by his own interest or that of his friends, a dissolution of parliament, in order to escape the punishment his offences might justly deserve. The abatement of impeachments, therefore, by a dissolution of parliament, would throw an insurmountable obstacle in the way of public justice, and would deprive the house of a power the most formidable to a corrupt administration, the exercise of which served as a shield and bulwark to the constitution.

Mr. Pitt pressed this point farther, by shewing, that the necessity of beginning again, in a new parliament, the proceedings of an impeachment, which had already been carried to a considerable length, might, in a variety of respects, accidentally become the cause, or designedly be converted into an engine, of oppression and injustice to individuals. The death of a witness might materially affect the state of the evidence;

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or, if the party impeached had made some progress in his defence, his enemies might possess sufficient influence to procure a sudden dissolution of parliament, the consequence of which might be, a fresh accusation against him, framed out of his own defence. It was obvious, also, that by repeated dissolutions, a person might become the object of a public prosecution all his life, without the possibility of obtaining a sentence, either of acquittal or condemnation. The grand principle, therefore, of Magna Charta, "Nulli differemus justitiam," of guarding against long imprisonments, and all the miseries belonging to a tedious state of suspence, would be far more promoted by the continuance, than by the abatement, of impeachments. The accused party would, in such case, be at full liberty to establish his innocence, without any unnecessary expence or delay; and the accuser would have every fair opportunity of making good his charges. Nothing short of this could deserve the name of public justice.

It had been said, that in a long impeachment, in consequence of the constant change in the house of lords, many persons might have a right to give judgment, who were not members of the court at the beginning of the trial; and even those who were at first accusers, might at the end become judges. To which Mr. Pitt replied, that there was no period of prorogation, to which the same objection did not apply; it was inseparable from a court of hereditary judges, and unavoidably incidental to the nature of such a proceeding as an impeachment: from hence, however, no danger of injustice could, with any shadow of reason, be apprehended. It was impossible to deprive peers of their judicial powers; but, under any circumstances, the

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exercise and application of those powers might be safely left to their own feelings and consciences. Peers, who had succeeded to their seats, while a trial was depending, might refer to the printed evidence, which, indeed, the length of trials by impeachments generally rendered necessary even to those, who had been present from the commencement of the proceedings; or they might, without any impropriety, abstain from voting. It should be recollected, that an impeachment was an extraordinary case; and that the principal object in establishing the high court of parliament, was, to bring delinquents to justice, who might have escaped, if tried according to the ordinary rules of courts of judicature. It was, therefore, essential to the original design of this institution, that the mode of conducting trials before the house of lords, should be peculiar to itself; and any objection, founded on the practice of the inferior courts, was irrelevant, and undeserving of attention.

Mr. Pitt lastly adverted to the opinions of eminent lawyers. The authority of the great and venerable lord Hale, was, he said, to be distrusted in the present instance, because, as Mr. Pitt proved, by quoting a passage from his works, he considered writs of error, petitions of appeal, and impeachments, to be legislative, and not judicial, proceedings; and this error led him to infer, that they all abated by a dissolution. A different opinion was entertained by lord Holt, who adduced the case of lord Stafford, as a weighty and irrefragable precedent, in favor of the continuance of impeachments, and other judicial proceedings from one parliament to another. Lord chief baron Comyns, an authority of the highest respectability, was, also, decidedly of the same opinion; for he maintained, as appeared

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from a passage in his digest, not only that impeachments continued, but that they should be resumed, and prosecuted until judgment was obtained, notwithstanding any contingent interruption from either prorogation or dissolution. He added, that many cases might be adduced from Carthew's Reports, and other authorities, which abundantly proved, that it had been long held, that impeachments were not affected by a dissolution.

Mr. Pitt concluded, by declaring his firm conviction, that the weight of precedents, the true spirit of the constitution, the immutable principles of justice, the expediency of public trials, every argument of plain common sense, and the authority of the greatest luminaries of the law, all concurred to prove, that impeachments did not abate, in consequence of a dissolution of parliament, but remained in statu quo; and therefore, as he did not consider it necessary to search farther for precedents, he should cheerfully vote for the original motion, "That the impeachment of Warren Hastings, esq. is now depending."

Mr. Fox, upon this occasion, entirely coincided with Mr. Pitt, and paid him a high compliment for the very able manner in which he had discussed the subject, particularly for his forcible statement of precedents. The question was, he said, of great importance—no less than, whether the constitution was a free constitution, under which every act of government was open to inquiry, and accompanied with responsibility; or, whether power might be exercised without any effectual control, and without any national inquest to take cognizance of its abuse. Next to the free-born spirit of the people, the right of impeachment, proceeding without abatement from

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session to session, and from parliament to parliament, was the best security for the undisturbed enjoyment of their lives and liberties, and was the only peaceable protection against the vices and corruption of the government; it was the vital, the defensive, principle of the constitution, that which preserved it from internal decay, that which guarded it against external injury; without which every office of executive power, every function of judicial authority, might be properly exercised, or abused, at the discretion or caprice of him who held it, or of him who had the right of appointing to it. He rested chiefly upon this general principle, that whatever was inconsistent with, or subversive of, a free constitution, could make no part of the law under that constitution; and it appeared to him impossible, that the British constitution could be maintained, unless the house of commons possessed the right of bringing an impeachment to a conclusion, without any restraint or interference, direct or indirect, from the crown.

After expressing his astonishment at the futility of the arguments on the opposite side, particularly those which had been adduced by professional members, he took a short review of the precedents; and asserted, that all, except that of 1685, made against the abatement of an impeachment by dissolution, and had been so understood by the courts of justice, and by the most eminent law authorities of the several periods. In enforcing the resolution of 1678, he said, that the times, in which it passed, were, as to parliamentary law, and in a constitutional point of view, unexceptionably good—indeed, the very period, at which, according to Mr. justice Blackstone,

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the theory of the constitution had reached its utmost perfection. This resolution did not make the law, but declared what the law was, after the most diligent research, and the most mature deliberation. He observed, that by the act of 1773, for inquiring into offences committed in India, it was provided, that various parliamentary proceedings, necessary for that purpose, should continue from session to session, and from parliament to parliament, but not a word was said of impeachments. This was no casual omission, but an omission upon principle, to which he pledged, not his opinion, but his veracity. It was in the contemplation of the framers of that act, to include impeachments; but, upon the advice of the late Mr. Dyson, whose knowledge of the law of parliament had never been questioned; and after full consideration by persons most competent to judge upon such a point, they were designedly omitted, lest the insertion of them should be interpreted into an indirect admission, that a doubt was entertained, whether the commons possessed the right of going on with an impeachment, after a dissolution.

The question respecting the continuance of impeachments having been pronounced in the course of the debate, the most important one to the liberty of Englishmen, which had been agitated during the present century, it may be proper to give a short account of the principal arguments and observations of the other members, who took part in the discussion.

It was remarked, that the writers, who had recorded the transactions of the reign of Charles the second, supplied no information relative to the origin of the resolution of 1673; but what was sought for in vain in the histories of the times,

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might be found in the law books. It appeared from the law reporters, that between the restoration and that year, many cases respecting the operation of prorogation and dissolution on writs of error and appeals, had taken place; doubts had arisen; courts did not know how to decide; and therefore, the resolution of 1673 must have been a rule to settle those doubts; a rule taking its rise not out of party agitation, or political spirit, but out of mere questions of private right and private property, uninfluenced by prejudice or passion of any kind. It was the result of calm and deliberate inquiry, by a committee specially commanded to search into the usage and law of parliament, concerning appeals and writs of error; and though its report was confined to those subjects, it established a general principle applicable to all judicial proceedings before the high court of parliament. And what did this wise and temperate resolution, originating in peace, not springing from discord, mark out? That the court of the king in parliament, was a constantly existing court; that its judicial proceedings were not touched by the exertion of prorogation or dissolution, but remained entire and undisturbed. Until the reign of Henry the fourth, criminal proceedings before the house of lords, at the suit of individuals, were legal, and not uncommon; and they sometimes continued from session to session; which, in those early times, was the same thing as from parliament to parliament, there being no prorogation on record before Philip & Mary.

The resolution of 1678 was so decidedly in favor of the continuance of impeachments, that several persons were anxious to vindicate and extol the parliament in which it passed. It

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was observed, that a parliament was to be judged of, not by the character of the times, but by its own acts in its legislative and deliberative capacity; and thus considered, it would be found, that there was not an important or material privilege of personal freedom, parliamentary independence, or constitutional principle, established at the revolution, of which the germ and seed were not to be traced to the parliament of 1678. That parliament passed the Habeas Corpus act; that parliament resisted lord Shaftsbury, who, as chancellor, had attempted to regain the power of trying elections, and judging of the right of members to their seats, and thus fixed that invaluable privilege in the house for ever; that parliament resolved, not on precedent and record, but on the clear and unalienable rights of a free constitution, and the first principles of the independence of the inquisitorial power of the house of commons, without which inquisitorial power would be a mockery, that a pardon was not pleadable in bar of an impeachment, and that a lord high steward, an officer to be named by the crown, was not a necessary part of the court of the king, in parliament; and lastly, that parliament completed the great work of the inquisitorial power being independent of the prerogative, by deciding, on just and sound principles of precedent and law, that a dissolution did not annul an impeachment. The resolution of 1678 was, therefore, the resolution of a parliament, whose reputation stood as high for sound constitutional doctrine, as any in the annals of our history; and next to that which settled the revolution, and that which seated the house of Brunswick on the throne, deserved more of posterity than any parliament on record.

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In addition to the precedents and authorities adduced by Mr. Pitt, it was mentioned, that the popish lords, when under imprisonment, after a dissolution of parliament, petitioned the king, that they might be tried immediately by indictment; but the twelve judges unanimously declared, at the council table, that "the impeachment being lodged in parliament, no other prosecution could be instituted against the lords, till the prosecution of the commons was determined;" directly implying, that the impeachments had not abated by the intervening dissolution; and, at the opening of the new parliament in 1678, the lord chancellor*, concurring in that opinion, recommended, in the king's name, that those peers should be speedily brought to trial. These events shewed, that the lord chancellor, and all the twelve judges, considered the principle of the resolution of 1673, as extending to impeachments, before the resolution of 1678 was passed; and the knowledge of their opinion was probably one of the causes which induced the committee to make their report, two days after the question was referred to them. And when the commons were told by a peer, at a conference, that they had gained a point by the decision—that impeachments continued after a dissolution, they disclaimed it as a new acquisition; insisting that it was a right which they had always possessed, clearly and indisputably; and the lords acquiesced.

It was contended, that gentlemen, by conceding, as they must concede, that prorogation did not annul the impeachment, (two prorogations having taken place since the commencement of Mr. Hastings's trial) had given up the question;

* Lord Daventry, afterwards earl of Nottingham.

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for there was no distinction, in the opinion of lawyers, or in the things themselves, between prorogation and dissolution. Lord Coke's statement in his fourth institute, that "Each session is in law a several parliament," could be only on the ground, that, in the consideration of the deliberative, legislative, personal, or judicial functions of parliament, dissolution and prorogation are the same. If either house, in its deliberative capacity, was engaged in any investigation, dissolution put an end to the proceedings; so did prorogation. If a legislative act was in its progress, dissolution put an end to that measure of legislation; so did prorogation. During the session of parliament, and for a certain period before the commencement, and after the conclusion, of a session, each member had personal privilege: that personal privilege was put an end to by dissolution; so it was by prorogation. All these things were equally ended by dissolution and prorogation; and not more effectually by the former, than by the latter. But as to judicial proceedings, it was the reverse; these continued. That writs of error and appeals remained unaffected by dissolution, as well as prorogation, was, as Mr. Pitt had observed, universally acknowledged. And the question now was, whether an impeachment, that great controlling power, which kept in awe ministers and judges, and protected the constitution, in its nature confessedly judicial, should not be included in the general rule; whether that, without which all the rest would be useless, and of no avail, should bend to a power, which shakes none of the others; whether, while a cause between two individuals resisted the storm of prerogative, and in the shape of a writ of error survived dissolution, a cause

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It was noticed, that the circumstance of the high court of parliament being at all times an existing court, though not always sitting to do justice, any more than the courts of law in Westminster hall, was founded in the source and origin of its jurisdiction, and was the real ground of the continuance of impeachments. The patent of peerage gave to every peer a right to act as a judge in the supreme court of the king in parliament, and this right once given could not be taken away by the king; nor did it cease by the demise of the crown. The moment the king affixed the seal to the patent of a peerage, the dignity and privilege, which belonged to it, continued to the person during his natural life, and at his death descended, according to the nature of the limitation, without diminution or change. The peer was thus constituted, or became, an hereditary judge; and the day appointed by the king for the meeting of parliament, merely fixed the time for the exercise of his jurisdiction; just as the common law, by assigning the terms to the judges in Westminster hall, fixed the time for exercising their judicial powers. The judicial power of the peers was not affected by dissolution more than by prorogation, being only and equally suspended by both; and a disso-

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lution did not make any change in the members of the house of lords; for it was expressly laid down by lord Coke, and admitted by every lawyer, that a peer was entitled to his writ of summons to parliament; and if not sent to him, he might go and demand it, and take it from the office. As far, therefore, as the judges of the high court of parliament were concerned, dissolution and prorogation were precisely the same.

Most of the arguments in favor of an abatement, were taken from the practice of the courts of law, and rested upon what were called legal analogies; but it was observed, that such reasoning could not be admitted, because the two cases were fundamentally different. The high court of parliament was established to try offences, which ordinary courts of justice could not so effectually reach; and to attain its end, its proceedings must be governed by rules peculiar to itself, and also be wholly independent of the crown. It had been formally declared, that a lord high steward was not essential to the trial of a prisoner before the house of lords, because, if it were, the king might prevent the trial taking place, by refusing to appoint that officer; and, upon the same principle, the king ought not to be able to put an end to an impeachment, when begun, by dissolving parliament, because that power would render the inquisitorial rights of the house of commons perfectly nugatory; and the most corrupt court favourite, or the most heinous state criminal, might go unpunished and uncondemned.

It was urged, by the advocates for the abatement, that

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a dissolution must put an end to an impeachment, because the prosecuting body lost its identity, and the new house of commons, which might not contain a single member of the last, being ignorant of what had passed, was incapable of going on with the prosecution. It was replied, that a great constitutional question was not to be decided by extreme and abstract cases, but by the real and solid principles of reason and law, applied to the conduct of men, and the actual state of things. It was certainly possible, that a new parliament should not contain a single member of the old one; but, on the other hand, it was also possible, that every member of the old parliament should be re-chosen. In point of fact, however, although numerous changes took place, yet a dissolution always left all or most of the considerable and important men in parliament—by far the greater number of those, whose situation and talents led them to take an active part in the business of the nation; and the new members might have recourse to the journals of the two houses, for information upon any point, which they might be required to determine, relative to a depending impeachment. The new house of commons being still, as Mr. Pitt well expressed it, the legal organ of the people of England, who never die, and in whose name every impeachment is brought, the sense of the people could be as well declared in the new, as in the former parliament.

It was remarked, that as far as Mr. Hastings was concerned, if it were proper for the house to proceed against him, the renewal of the impeachment would be a greater hardship, than to take it up where it stood; and that, at all events, neither the

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length of the proof, nor the magnitude of the crime, could, with any shadow of decency, be suffered to protect the party accused.

The house divided upon Mr. Erskine's motion, for the speaker's leaving the chair, which was negatived by a majority of 143 to 30, and the original motion passed, without a division. The members immediately connected with Mr. Hastings, voted for the motion, probably under the idea, that if it should be determined, that the proceedings had abated by the dissolution, the trial would not be resumed de novo, and consequently no sentence be pronounced.

In consequence of the decision upon this motion, the house of commons informed the house of lords, on the 14th of February, that they were ready to go on with the impeachment of Mr. Hastings; but the house of lords thought it right, before they sent an answer, to appoint a committee to examine precedents, for the purpose of enabling them to decide, whether the dissolution of parliament had put an end to the impeachment. The report, which occupies forty-four folio pages in the journals, was made on the 19th of April; and on the 16th of May, the day fixed for taking it into consideration, lord Porchester moved, "That a message be sent to the commons, that this house will proceed upon the trial of Warren Hastings, esq. on Monday next *." Another motion, under the form of an amendment, was made by lord Radnor, proposing to leave out all the words in the original motion, after the word "That," and to insert the following in their place, "it be referred to the twelve

* The words "on Monday next" were not in the motion when first made, but were added afterwards.

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judges, as a question, to examine the bond of recognizance entered into by the sureties of Warren Hastings, esq. and to report to the house, on Wednesday next, their opinion on the same;" the object of which amendment was, to prove, that the obligation of the recognizance did not extend beyond the last parliament, for the purpose of inferring from thence, that the trial was terminated. A long debate ensued, in which the general question, whether a dissolution of parliament put an end to an impeachment, was fully discussed; and the result was, the rejection of lord Radnor's amendment, by a majority of 50, and the adoption of lord Porchester's motion, by a majority of 48: the numbers in the former case, were 70, and 20; and in the latter, 66, and 18. Thus was it decided, by large majorities in both houses, that a dissolution of parliament did not put an end to an impeachment; and, accordingly, the trial of Mr. Hastings proceeded on the day appointed.

There never perhaps was a question, upon which the great lawyers of the day, in both houses of parliament, were more divided, than upon this; and it is remarkable, that Mr. Pitt differed from all the professional men officially connected with him. Lord Thurlow *, lord Kenyon †, sir Richard Arden ‡, sir Archibald Macdonald ||, sir John Scott §, Mr. Mitford ¶,

* Lord chancellor.

† Lord chief justice of the king's bench.

‡ Master of the rolls, and afterwards chief justice of the common pleas.

|| Attorney general, and afterwards lord chief baron of the exchequer.

§ Solicitor general, and afterwards successively attorney general, chief justice of the common pleas, and lord chancellor.

¶ Afterwards solicitor and attorney general, speaker of the house of commons in England, and lord chancellor of Ireland.

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Mr. Erskine *, and Mr. Hardinge †, were in favor of the abatement; lord Mansfield ‡, lord Camden ||, lord Loughborough §, Mr. Adam ¶, Mr. Anstruther **, and Mr. Bearcroft ††, were against it. Of the eminent statesmen of the day, by far the greater number were against the abatement, namely, Mr. Pitt, Mr. Fox, Mr. Burke, Mr. Dundas, Mr. Windham, Mr. Addington, Mr. Grey, Mr. Sheridan, lord Grenville, lord Guildford, and lord Stormont; which list includes the most distinguished political men in both houses, and certainly comprehends persons, who were not in the habit of agreeing upon points which came under parliamentary discussion.

THE hearing of three, out of the twenty charges, carried up to the house of lords, had occupied three years. This slow pro-

* Afterwards lord chancellor.

† A Welch judge.

‡ Formerly chief justice of the king's bench.

|| Lord president of the council, and formerly chief justice of the common pleas, and lord chancellor. Lord Mansfield was too old and infirm to attend the house; and lord Camden was compelled by indisposition to leave the house, before the conclusion of the debate; but they both authorized lord Loughborough to express their sentiments.

§ Lord chief justice of the common pleas, and afterwards lord chancellor.

¶ Afterwards a baron of the exchequer in Scotland.

** Afterwards chief justice in India.

†† Chief justice of Chester. To this list may be added, Mr. Spencer Perceval, who was not at this time a member of the house of commons, but was afterwards solicitor and attorney general, and first lord of the treasury: he published a very able pamphlet against the abatement, but without his name.

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gress of the trial, was noticed in the discussion of the question of abatement, and was very generally represented as exposing Mr. Hastings to serious hardship. Besides the time which the managers might require for going through the remaining seventeen charges, it was to be expected, that both the defence and the reply would each occupy a considerable period, after which the peers would have to examine and to deliberate upon the whole of the evidence, and the arguments adduced by both parties. It appeared, therefore, that the trial, if carried on in the manner originally designed, would extend to a length, not only far beyond any example, but scarcely consistent with the ends of justice, and which might bring discredit upon a jurisdiction, acknowledged to be essential to the maintenance of the constitution. To obviate these inconveniences, Mr. Burke, on the 14th of February, proposed a motion, for limiting the prosecution to a single charge more, namely, that relating to contracts, pensions, and allowances, and for relinquishing all the rest. He stated, as some explanation of the little progress which had been made, that though three years had elapsed since the trial began, the court had sitten only sixty-seven days, upon an average of about four hours a day; and that though only three charges had been finished, each of them contained a number of facts, sufficient to constitute a separate impeachment; the whole body of charges, including, perhaps, as much criminal matter, as was to be found in all the impeachments which had ever taken place. To prove that no blame, on account of the delay, was imputable to the managers, he entered into a full detail of the difficulties and obstructions, which had

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been thrown in their way, and expressed his hope, that the motion, which he now submitted to the house, would bring the business to a speedy decision.

In the debate which followed, all who spoke, however they might differ upon other points, concurred in regretting the long continuance of the trial. Two amendments were proposed, the object of the first of which was, that the house should not proceed any farther with the charges, but request the peers to pass judgment immediately upon those which had been heard. To this amendment, Mr. Pitt strongly objected, not only because the charge itself, relative to contracts, was intimately connected with the preceding ones, but because the evidence to be produced upon it, might invalidate and disprove the plea of necessity, which the advocates of Mr. Hastings had alleged, and the only plea they could allege, in justification of every breach of treaty, and of every act of extortion. Many instances of such conduct were so clearly established, that they could not be denied; but it was contended, that they were absolutely required, by the situation of the company's affairs, and did not arise from any corrupt motive, or the slightest view to private emolument;—in short, that they could not have been avoided, without an utter sacrifice of the British interests in India. The house could not, therefore, with any propriety, abandon a charge, from the investigation of which it might appear, that Mr. Hastings himself had, by a profuse and unwarrantable expenditure of the company's money, created this necessity; or that, in consequence of large sums lying at his disposal, the pretended necessity had no existence at all: in either of which cases, the plea of state necessity, so far from

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being conclusive in his favor, would be perfectly nugatory; and, upon the whole, he was of opinion, that the issue of the trial would be greatly influenced by the facts, which might, or might not, be substantiated in the investigation of the proposed charge.

The duration of the trial, he said, had been mentioned as an insuperable objection to its farther process; but this objection was founded on a false principle, in estimating the time which the remaining charges would occupy, by the time employed upon the former ones. It by no means followed, that because three charges had taken up three years, a fourth charge would last a proportionate time; or because a former charge had contained fifty allegations, that another must contain as many; and more especially, as those gentlemen, who were best informed upon the subject, had assured the house, that the proof of the charge in question would lie in a very narrow compass. There was no danger of any material delay from entering upon this charge; but there was much and well-founded apprehension, that by declining it, and separating charges dependent upon each other, all the time and pains spent upon the impeachment, would be completely lost. Every one must acknowledge, that three years formed a long period for an innocent man to remain under the suspence and anxiety of accusation, for which some indemnification would be indisputably due; and even to a guilty person, such a protracted trial must, in any ordinary case, be considered as constituting no small portion of punishment. But should the charges preferred against Mr. Hastings, or the principal part of them, be proved, what man would assert, that the punishment

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he had already suffered, was, in any degree, adequate to the magnitude of his crimes? And under any circumstances, it was incumbent upon the house, not to allow compassion for an individual to supersede their duty, as grand inquisitors of the nation, or to interfere with their indispensable regard to public example, and to public justice. Considering the house bound, upon these grounds, to proceed with the charge respecting contracts, he should support the original motion, and vote against the amendment.

The object of the second amendment was, to put an end to the trial, without calling upon the lords to pronounce any judgment. After which, it was moved to adjourn, that the amendments might be separately considered on a future day. The motion for adjournment was negatived, by a majority of 231 to 26. The second amendment was then rejected, by a majority of 194 to 54; and the first by a majority of 161 to 79. The original motion passed without any division; and it was then unanimously agreed, that the same managers should be appointed; and that a message should be sent to the house of lords, informing their lordships, that the commons were ready to proceed with the trial of Mr. Hastings.

THE hostilities which had commenced in India, were the subject of two debates in the house of commons, soon after the Christmas recess; in the former of which Mr. Francis moved thirteen resolutions, for the purpose of censuring the origin, and preventing the farther prosecution, of the war; which he represented, as entered into without sufficient reason, as ruinously expensive, and not likely to be productive of any

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adequate advantage to the company; more especially, as it was by no means desirable, that Tippoo's power should be reduced, but that he should remain a counterpoise to the formidable and encreasing influence of the Mahrattas.

Mr. Pitt and Mr. Dundas, in opposing these resolutions, contended, that the forts in question belonged to the Dutch, by right of conquest, and were equally independent of the rajah of Cochin, and of the sultan of Mysore; that the rajah of Travancore, as a sovereign prince, had a right to purchase them, without any just ground of offence to Tippoo, who could only wish to possess them as the means of annoying his neighbors; that the war really originated in the restless ambition of Tippoo, his hostility to the British interests, and his long premeditated design of subduing Travancore, which would open to him an easy entrance into the Carnatic, and enable him to attack our dominions in that part of India; that in the year 1788, before he could possibly have urged any complaint against the rajah, relative to these forts, he advanced to the boundary of Travancore, with an army of 150,000 men, but retreated without committing any act of hostility, upon being informed of the consequences, by the governor of Madras; that he had lately made the purchase of the forts a pretence for invading the rajah's country, which he knew we were bound by treaty to defend; that at the moment he professed a readiness to accede to our proposal of settling the points in dispute by negotiation, he had been guilty of fresh hostilities; that, under these circumstances, a war on our part was unavoidable, without the sacrifice both of our honor and of our interest, and a forfeiture of all respect among the

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native powers of India; that the idea of conniving at such unprincipled and insulting conduct in Tippoo, who was the inveterate enemy of the English, in order to balance him against the Mahrattas, who were our friends, was a species of policy not easily understood, and could not fail to be attended with the most mischievous effects; that no danger was to be apprehended from the power of the Mahrattas, on account of their want of union among themselves; and that their assistance, and that of the nizam, in the present instance, would probably bring the war to a speedier conclusion, by compelling Tippoo to abandon his ambitious projects, and to yield to fair and equitable terms, which were the only objects the company and their allies had in view.

In the course of the debate an insinuation was thrown out, that the confederated powers had engaged in the war, under an express agreement to continue it, till Tippoo should be deprived of all his dominions, of which the English were to have a share, not only in opposition to the sentiments of all who were best acquainted with Indian affairs, but contrary to the principles laid down in the India bills, both of Mr. Pitt and Mr. Fox—that the company ought not to make any farther conquests. The existence of any such agreement was positively denied by Mr. Pitt and Mr. Dundas, who unequivocally admitted, that no war ought to be undertaken for the purpose of extending our dominions in India; but it did not follow from thence, they said, that every provocation was to be submitted to, and that no insult or encroachment was to be resisted; or that, at the end of a necessary war, the company might not indemnify themselves by such an addition to their territories,

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as would, by encreasing their strength, secure the future continuance of peace.

There was evidently so general an impression in the house, that Tippoo, who was known to be an insidious and faithless tyrant, had been the unprovoked aggressor in these hostilities, and that lord Cornwallis, the governor general of Bengal, had acted with his usual prudence and moderation, that Mr. Francis did not venture to take the sense of the house upon any of his resolutions, and they were all rejected without a division.

But though this attempt to bring discredit upon the British government in India, had completely failed, it was thought necessary by ministers, for the full vindication of the governor general, and to prevent the possibility of any doubt being entertained in India, of the sentiments of parliament, that the house of commons should express a positive approbation of his conduct, and of the origin of the war. Mr. Dundas, therefore, a few days afterwards, proposed three resolutions, in the first of which Tippoo's attack upon the lines of Travancore, was declared to be an unprovoked and unwarrantable infraction of the treaty of Mangalore; in the second, the determination of the governor general, to consider that attack as a just ground of hostility on the part of the English, was pronounced to be highly meritorious; and in the third, the treaties entered into with the nizam and the Mahrattas, were commended, as calculated to give vigor to the operations of the war, and to promote the future tranquillity of India. These three resolutions, after some debate, passed without a division; and it is not a little remarkable, that Mr. Fox, who condemned the war, and was of course adverse to the resolutions, suggested an

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amendment of one of them, which Mr. Pitt readily adopted, as making it more applicable to his purpose.

Much having been said in these debates, as well as upon other occasions, relative to the system which ought to be pursued in India, I shall transcribe an extract of a private letter from the board of control, to the governor general, signed by Mr. Pitt and Mr. Dundas, and dated July 19th, 1786, as it will shew the principles upon which they wished the British government in India to act:—"One universal principle, never to be departed from, either in the present condition of the native powers, or in any future revolutions among them, is, that we are completely satisfied with the possessions we already have, and will engage in no war for the purpose of farther acquisitions. The next leading principle, which must occupy your attention, is, to keep a constant watch upon the conduct of all European rivals, particularly the French. And as they cannot possibly interfere in the disputes of any of the native powers, without ultimately intending prejudice to us, it seems to follow as a just conclusion, and not to be much concealed in our communication with Indian princes, that if any of them shall accept of European aid, we shall feel ourselves warranted to throw the aid of our force into the opposite scale.

"It ought to be inculcated, in every transaction with them, that the acceptance of any such aid, can only be with the risque of having our whole force immediately employed to crush the effects of it; and it should be generally known and understood, that peace is our primary object, and that we wish to pursue the interchanges of trade beneficial to them and to us, with any country in India; and to render those parts of

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India, which are within our immediate administration, completely happy under the protection of the British power; that we shall refrain from all interference in the contentions which may arise among the native powers, unless called for by the stipulation of an existing treaty; but that we shall not take advantage of their jealousies of one another, in order to aggrandize the British power by the depression of any one of them.

"On the other hand, while we are contented to pursue the pacific and neutral system in our own particular, we shall be strictly jealous of every interference from any other European nation whatever, which may either disturb the peace of India, or introduce their own arms or influence to sow distraction among the princes or inhabitants."

It has been noticed, that on the day the navy estimates were voted, Mr. Pitt, in reply to a question from Mr. Fox, said, that certain circumstances in the situation of Europe rendered it necessary to keep in commission, for the present, an additional number of ships beyond the regular peace establishment; in which intimation he alluded to the negotiation then carrying on at Petersburgh, relative to peace between Russia and the Porte. Soon afterwards he received dispatches, informing him, that Catharine treated Mr. Fawkener with the utmost contempt; declaring, that she only received his suggestions, as coming from the minister of a court with which she was at peace, without acknowledging Great Britain in the character of a mediator; and that she persisted in her demand to keep possession of Oczakow, and the country between the Bog and

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the Niester. Mr. Pitt considered this as a point by no means to be yielded, without still farther exertions; and, therefore, had recourse to a measure, which he hoped would bring the business to a more favorable result. On the 28th of March, he delivered a message from the king, in which his majesty acquainted the house of commons, that his endeavors, in conjunction with his allies, to accomplish a pacification between Russia and the Porte, had hitherto proved ineffectual; and the consequences, which might arise from the continuance of the war, being highly important to the interests of himself and his allies, and to those of Europe in general, his majesty judged it requisite, in order to add weight to his representations, to augment his naval force, relying on the zeal and affection of the house of commons to make good such expences as might be incurred by these preparations, for the purpose of supporting the interests of his kingdom, and of contributing to the restoration of general tranquillity, on a secure and lasting foundation.

On the following day, when the message was taken into consideration, Mr. Pitt moved an address to the king, thanking his majesty for his communication, and promising to support the measures he had thought proper to adopt. In proposing this address, he said, that while the system of defensive alliance was generally commended, the house would, he trusted, admit, that a temporary expence might be wisely and judiciously incurred, to prevent any alteration in the relative condition of the powers of Europe, which might tend to weaken the security expected from that system. Upon this principle, an additional force had been kept up, with the approbation of

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that house, after the late armament, because the situation of affairs seemed to demand it; and events had since happened, which rendered a farther augmentation necessary. The influence of the Turkish empire was acknowledged to be considerable, in the general scale of European powers; and its present state was such, as to afford just grounds of apprehension to all those countries, whose interests were in any degree liable to be affected by the diminution of that influence. Without mentioning Oczakow, he observed, in general terms, that, if Russia, by the result of the war, should gain any material accession of strength at the expence of Turkey, the effect would not be confined to those two empires, but would be felt by the rest of Europe; and particularly by Prussia, the country with which we were most intimately connected. The interference, therefore, of England, under existing circumstances, was indispensable, for the preservation of that balance of power, which, in the judgment of all statesmen, and of men of all political principles, was essential to the independence and safety of Europe.

To this address it was objected, it being well known to what the king's message referred, that a dispute about the frontiers of Turkey—whether a fortress, and a barren, uncultivated district at the extremity of Europe, should belong to this or that power, was not a sufficient reason for plunging this kingdom into a war, from which it could derive no adequate advantage; that in fact, no possession of Great Britain, or of her allies, was attacked, or even threatened, no treaty or right violated, her commerce not interrupted, or her honor insulted; that we had no right to dictate to Russia the terms on which she

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should make peace, or to require her to cede all her conquests; that she had given proof of her moderation, by demanding only Oczakow, and its dependencies, which were too inconsiderable in themselves to affect the balance of power in Europe; that no alliance subsisted between Great Britain and Turkey, a country which, for a century, had been connected with our rivals, the French; and that, by the proposed armament, and the war which might follow, we should provoke and alienate Russia, with whom we had great and important commercial concerns. Upon these grounds, it was moved, to omit that part of the address, which pledged the house to support the armament, and to substitute other words, declaring, that the house could not, without abandoning their duty, load their constituents with additional burdens, for the maintenance of interests, which were neither explained nor understood. This amendment was rejected, by a majority of 228 to 135; and the address passed, in its original form.

It was, however, obvious, that the measure was not approved by many members, who generally supported government, which induced Mr. Grey to call upon the house again to express their sentiments upon it, by moving a series of resolutions, the object of which was, to pronounce the armament inexpedient, and unnecessary. Every exertion was made by the opposite parties, to collect their respective friends upon this occasion; and, after a long and warm debate, the resolutions were negatived, by a majority of only 80; the numbers being, 252, and 172.

The diminution of the majority, when the house was much fuller than on the former day, encouraged those, who were

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adverse to the armament, to bring the subject a third time before the house; and three days afterwards, Mr. Baker moved two resolutions, differing in words from Mr. Grey's, but to the same effect, which were rejected, by a majority of 254 to 162.—This small increase in the majority, did not prevent the opposition from bringing forward a fourth discussion of this question. On the 25th of May, when the session was evidently drawing to a conclusion, Mr. T. Grenville moved an address to the king, representing the advantages arising to this country, from a friendly and commercial intercourse with Russia; and humbly and earnestly requesting, that his majesty would be graciously pleased to decline all hostile interference upon the subject of the fortress and district of Oczakow. This address was rejected, by 208, to 114; being an addition of two to the last majority.

Mr. Pitt resisted these motions for condemning the armament, upon general principles; but it was impossible for him, consistently with his duty, to state the precise points upon which the negotiation turned; nor could he, with propriety, enter into a detailed explanation of the danger which would arise from the subversion or reduction of the Ottoman empire, and the consequent accession of territory to the empress of Russia, whose immense power was already formidable to her neighbours, and who was known to have conceived projects of the most mischievous tendency to the rest of Europe. These, however, were considerations, which had great weight in influencing his line of foreign politics at the present moment, and in rendering him extremely anxious to prevent the farther aggrandizement of Russia,

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THE next subject to be mentioned, relates to the new modelling of the legislature of one of our own colonies. When the province of Quebec was ceded by France to Great Britain, by the treaty of peace in 1763, a proclamation was issued, in which his majesty promised, that measures should be taken for extending to the inhabitants, the benefits of the British constitution. Nothing, however, was done till the year 1774, when an act passed, "for making more effectual provision for the government of the province of Quebec." This act was far from giving satisfaction, or answering its purpose; and it was now found to be, in many respects, inapplicable to the present state of the province. Mr. Pitt had for some time been endeavouring to frame a plan, better suited to existing circumstances, and as nearly analogous to the British constitution, as the case would admit; and, on the 4th of March, he submitted to the house, the heads of the bill he intended to introduce, for dividing the country into two provinces, to be called, Upper and Lower Canada, in which there should be separate legislatures, each consisting, in imitation of the constitution of the mother country, of a legislative council, and of a house of assembly, which should have power, with the consent of the king signified by the governor, to enact laws for their respective provinces; all the present laws and ordinances remaining in force, till repealed or altered by the new legislatures. The members of the councils were to be nominated by the king, and to continue for life, his majesty being also authorized to annex to certain honors, corresponding to those of our peerage, an hereditary right to sit in the councils: the number of the

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members of the council in Upper Canada, was not to be less than 7, and in Lower Canada, not less than 15: the members of the house of assembly were to be elected by districts and townships, and to continue for seven years; the qualification for voters in the former, being a freehold of 40 shillings a year, and in the latter, owning a house of 5*l.* or occupying one of 10*l.* a year; the number of members of the house of assembly in Upper Canada was not to be less than 16, and in Lower Canada not less than 30; the governors of the respective provinces were to appoint the time of the meeting of the legislative council and house of assembly, to prorogue and to dissolve them; there was to be a right of appeal from the provincial courts of law, to the governor and executive council, and from them to the privy council in England, and ultimately to the house of lords; provision was to be made for the maintenance of the protestant clergy of the established church, by an allotment of one seventh of the land; and to prevent any such discontents, as had occasioned the separation of the American states, the British parliament was to have no power to impose any taxes upon the inhabitants, except for the regulation of trade and commerce, and the levy and disposal of those taxes were to be under the direction of the local legislatures.

The grand object in dividing the country into two distinct provinces, was, to put an end to the competition and disputes between the old French inhabitants, who almost entirely resided in Lower Canada, and the new settlers from England and the American states, who were principally fixed in Upper Canada, and were daily increasing. It was also hoped, that the esta-

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blishment of two independent legislatures, would tend to make the laws definite and well understood, the uncertain and defective nature of which, had hitherto operated very disadvantageously, especially in commercial concerns; and that it would have the effect of producing from time to time, laws adapted to the wishes and condition of each province.

The bill containing these regulations, was read a first and second time, and passed through the committee, without any opposition or debate; but on the day the report was to be taken into consideration, a petition was presented against it from certain merchants, warehousemen, and manufacturers of Quebec, who conceived it would operate in a manner prejudicial to their interests; and Mr. Hussey proposed it should be re-committed. Mr. Fox immediately rose, and objected, in strong terms, to several parts of the bill: he did not approve the division of the country into two provinces; and he thought, that the proposed constitution was not agreeable to the principles of liberty, which were gaining ground, and would increase in consequence of the general diffusion of literature and knowledge in the world; the numbers of which the houses of assembly were to consist, were, he said, too small, as not making the government sufficiently popular, and their duration was too long; why a septennial bill should be preferred to a triennial or an annual one, he confessed was beyond his comprehension; he saw nothing so good in hereditary honors as to make him wish to introduce them into any country, where they did not at present exist; and he thought that, in this instance, they tended to render the constitution worse, rather than better, by giving an undue influence to the king and the governor; he

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therefore wished the council to be elective, and that its members should be chosen from amongst the richest persons of the province, by those, whose property was also considerable; the provision for the protestant clergy, appeared to him too large; and the appeal to the privy council unnecessary: for these reasons, he wished the bill to be again referred to a committee, that its clauses might be more fully considered.

Mr. Pitt lamented, that these objections had not occurred to Mr. Fox, in an earlier stage of the bill; but he readily acceded to its re-commitment, from a desire of availing himself of any opportunity of hearing observations, and receiving information, in the difficult and important business of settling a new system for the government of a distant colony. He thought, however, that at present the proposed assemblies would be sufficiently numerous, and they might be increased, when the population of the provinces * became greater, as the bill only fixed the minimum. He totally differed from Mr. Fox, respecting the expediency of making the councils elective, and excluding all hereditary honors; he thought, that none of those republican principles, which Mr. Fox had applauded, and described as resulting from a greater extension of learning in these more enlightened times, would improve the constitution of Britain, or of its colonies; and that in the Canadas, there ought to be hereditary aristocratical councils, answering to the British house of lords; he contended, that the only method of reconciling the jarring interests, and opposite views of the inhabitants, was, by giving them two legislatures,

* The population of Upper Canada was supposed at this time, to be 10,000, including men, women, and children; and of Lower Canada 100,000.

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in one of which the antient Canadians might have the ascendancy, and in the other the new settlers; as animosity and confusion must arise, from uniting in the same legislature, persons so dissimilar in religion, language, manners, and character, the conquerors, and the conquered; some attached to the English, others to the French laws. He trusted, however, that the French would hereafter voluntarily adopt the English jurisprudence, from a conviction of its being preferable to their own, which would be far better than using any compulsion upon the subject. With respect to the protestant clergy, he was desirous of making an adequate provision for them, sufficient to enable them to support their situation with respectability; and a seventh of the land was not equal in value to a tenth of its produce, which was the provision for the parochial clergy in England.

On a subsequent day, Mr. Fox repeated his assertion, that he preferred an elective to an hereditary council, in Canada, but denied that this would make the government more republican; and, apparently from a consciousness that his speech, in the former debate, had left an unfavorable impression upon the house, which he was anxious to remove, he said, he did not wish our hereditary house of lords to be abolished, and an elective one substituted in its room; he admitted, that every part of the British dominions ought to possess a government, in the constitution of which, monarchy, aristocracy, and democracy, were mutually blended and united; nor would any government be a fit one for British subjects to live under, which did not contain its due weight of aristocracy, because he considered that to be the proper poise of the constitution,

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the balance which equalized and meliorated the powers of the two other extreme branches, and gave stability and firmness to the whole.

Mr. Pitt expressed great satisfaction at hearing these sentiments from Mr. Fox, which he probably thought not perfectly consistent with his former declarations. He then proceeded to observe, that true aristocracy gave that sort of energy, that sort of spirit, that sort of enterprize, which always made a country great and happy; it reflected lustre on the crown, and lent support and effect to the democracy, while the democracy gave vigor and energy to both; and the sovereignty crowned the constitution with authority and dignity. He was as anxious as Mr. Fox professed himself to be, that as much as possible of a constitution, deservedly the glory and happiness of those who lived under it, and the envy of the world, should be extended to all our dependencies. But, though he agreed with Mr. Fox, in these general principles, he differed from him with respect to the aristocracy proper to be infused into the constitution of Canada, which he thought might be brought nearer to our own, by other means than those proposed by Mr. Fox. The British aristocracy, Mr. Pitt said, was respectable, not merely on account of its property, though that undoubtedly was no small consideration, but also for its hereditary distinctions, flowing from the crown as the fountain of honor. It was, on that account, not less the poise of the constitution, as Mr. Fox had emphatically expressed it, than if the aristocracy had been elective; on the contrary, it was more so, because, according to the known genius and spirit of our constitution, monarchy was the source, from whence

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the other parts arose; and, therefore, the more near the aristocracy was to the crown, the more immediately congenial would it be to the constitution itself, as originally planned and adopted by our ancestors. In that happy form, and constructed upon that wise principle, we felt the blessings of monarchy, aristocracy, and democracy, all united. He should lament, therefore, to create an aristocracy by a selection from property alone, or by making it elective, as in either case it would bring the poise nearer to the people, than it was to the crown, in the British constitution. He agreed with Mr. Fox, that we could not give all the respect to a new nobility, which belonged to an hereditary line of nobles, traceable to remote antiquity; but we could give the same degree of respect to it, which had accompanied the origin of our nobility; and succeeding ages must bestow the rest. Hereditary nobility could, from its nature, be only gradual; and there was something, he thought, in the habits, customs, and manners of Canada, which peculiarly fitted it for the reception of hereditary honors. He was firmly persuaded, that an aristocracy, derived from the imperial crown of Great Britain, would materially strengthen the connexion between the colony and the mother country. The want of those honors had, he doubted not, tended to accelerate the separation of the former American colonies. He neither wished the aristocracy to be dependent on the crown, nor on the people; and, though the present infant state of the colony would not supply a due proportion of peers, yet, as extension of commerce and increase of wealth would probably follow the introduction of the new constitution, it might be expected,

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that, in process of time*, there would be an hereditary aristocracy, cloathed with the respect and influence, which ought always to belong to that branch of a free government. It was indeed impossible, at present, to give the precise British constitution to Canada; but a foundation might be now laid, and the complete superstructure might be erected at a future period.

While the bill was passing through the committee the second time, Mr. Pitt mentioned, that it was in contemplation to send a protestant bishop to Canada, who should be a member of the legislative council, and by his rank and weight strengthen the established church†. To this idea Mr. Fox was decidedly adverse, asserting, that popery or presbyterianism ought to be the established religion in Canada, and that the appointment of a protestant bishop would be perfectly unjustifiable.

Two motions of Mr. Fox, the one for omitting the clause relative to hereditary nobility, and the other for fixing the number of the house of assembly, in Lower Canada, at 100, were rejected by majorities of more than two to one‡; and the bill passed as originally proposed by Mr. Pitt, except that, to meet in some degree the ideas of Mr. Fox, he consented that the houses of assembly should be chosen every four years

* Though 30 years have elapsed since this bill passed, no hereditary honor has been conferred in Canada.

† In 1793 Dr. Jacob Mountain was consecrated bishop of Quebec, and went immediately to Canada, where he has ever since presided over the church, with great honor to himself and advantage to the concerns of his extensive diocese, which includes both provinces.

‡ In the former case the numbers were 88 and 39, and in the latter 91 and 40.

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instead of seven; that the house of assembly in Lower Canada should consist of 50 members, instead of 30; and that there should be an immediate appeal to the house of lords, without the intervention of the privy council.

THESE debates relative to a new constitution for Canada, led Mr. Fox and Mr. Burke to deliver their opposite sentiments upon the French revolution, more fully and decidedly than they had done in the preceding session of Parliament. Mr. Fox, indeed, in the present session, seemed to seek every occasion of alluding to this subject. On the day he first stated his objections to the Quebec bill, he said, that he could not account for the desire to make hereditary distinctions a part of the new constitution, unless it were, that Quebec, having been formerly a French colony, there might be an opportunity of reviving those titles of honor, the extinction of which in France, some gentlemen so much deplored. This observation evidently referred to Mr. Burke, who happened not to be present; but he went to the house on the day fixed for the re-commitment of the bill, prepared to make some strictures upon what Mr. Fox had said. The consideration of the bill, however, was deferred, on account of the thin attendance of members; and therefore Mr. Burke could only express his regret at the difference of opinion between himself and a right honorable gentleman, whose eloquence, he said, was so greatly superior to his own, and whose abilities nothing could resist. Dear, however, as was his friend, desirous as he was to avoid any disagreement, there was another object still dearer, of which he was still more desirous, the discharge of his duty. His sentiments and prin-

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ciples were not unknown; and whenever the occasion should again present itself, he would not shun to declare them.

This notice, having excited great expectation, caused the house to be extremely full on the day to which the commitment of the bill was postponed; and as soon as the chairman had put the usual question, for reading the bill paragraph by paragraph, Mr. Burke rose, and observed, that the point first to be considered was, whether the house was competent to appoint a legislature for a distant people. A body of rights, commonly called The Rights of Man, had, he said, been lately imported from a neighboring country, and was held up by certain persons in this kingdom, as paramount to all other rights. A principal article in this new code was, that "All men are born free, equal in respect of rights, and continue so in society." If such a doctrine were to be admitted, the power of the house could extend no farther, than to call together the inhabitants of Canada, and recommend to them a free choice of a government for themselves. But he rather chose to argue from another code, on which mankind, in all ages, had hitherto acted—the law of nations. On this, alone, he conceived the competence of the house to rest. From this we learnt, that we possessed a right of legislating for Canada, founded upon a claim of sovereignty over that country, which was at first obtained by conquest, but afterwards confirmed and acknowledged by the cession of its former government, and established by long uninterrupted possession.

The competence of the house being, therefore, unquestionable, the next point to be considered was, after what model the proposed constitution was to be formed. He believed, that

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the constitution of the American states, to which Canada was contiguous, was well adapted to their peculiar circumstances, but being founded upon republican principles, it was not such as ought to be established in a British colony. He then asked, whether, as the majority of the population of Canada were Frenchmen, it would be right to give them the new constitution of France; a constitution founded on principles diametrically opposite to our own, as different from it as folly from wisdom, as vice from virtue—a constitution founded on the Rights of Man. The authors of it had told us, and their partizans in England had repeated, that it was a great monument, erected for the instruction of mankind. This was certainly not said, without a view to imitation. But, before we proceeded to give to Canada the new constitution of France, it would be wise to consider what would probably be the practical consequences of such a step, by inquiring into the effects which it had actually produced, where it had been adopted.—The French West India islands were in the most flourishing state, until the fatal moment when the Rights of Man were imported. Scarcely, said Mr. Burke, was this precious doctrine received among them, when Pandora's box, replete with all mortal evils, seemed to fly open, hell itself to yawn, and every demon of mischief to overspread the face of the earth. Blacks rose against whites—whites against blacks; and each against the other, in murderous hostility; subordination was destroyed; the cords of society torn asunder; and every man appeared to thirst for the blood of his neighbor. The mother country, not receiving any great degree of pleasure in contemplating this image of herself reflected in her child, sent out

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a body of troops, well instructed, likewise, in the new principles, to restore order and tranquillity. These troops, immediately upon their arrival, felt themselves bound to become parties in the general rebellion, and, like most of their brethren at home, began the assertion of their free-born rights, by murdering their general. Should such an example induce us to ship off for Canada, a cargo of the Rights of Man?

Mr. Burke was next proceeding to give an eloquent description of the disorder and miseries occasioned by the revolution in France herself, when he was called to order; and a most extraordinary scene of altercation and confusion, which lasted several hours, ensued. He endeavored, no less than seven times, to explain, why he thought himself in order; but it was evidently the object of those members of opposition, who were favorable to revolutionary principles, by repeated interruptions, totally to silence him. It was urged, that dissertations on the French revolution were not regular or orderly, when the question before the committee was, whether the clauses of the Quebec bill should be read paragraph by paragraph; and a motion to that effect was made by lord Sheffield, and seconded by Mr. Fox, although the latter had previously declared, that he did not consider Mr. Burke out of order. Mr. Pitt was appealed to; and he said, that though he did not wish the French revolution to be discussed, yet as the design of the bill was, to provide a new government for a people at once American, French, and English, it did not appear to him improper, or contrary to the rules of the house, to inquire into the constitution of those countries, with which the Canadians were more immediately connected.

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This opinion encouraged Mr. Burke and Mr. Fox to proceed, and each of them spoke twice, at considerable length. Their speeches contained mutual recriminations, and acrimonious complaints of unkind and injurious treatment, mixed however with expressions of regard and esteem; and in particular, Mr. Fox repeated, what he had said in the preceding year, that he had learned more from Mr. Burke, than from all books, and all other men: all his political knowledge was drawn from Mr. Burke's writings, speeches, and familiar conversation; and separation from a person to whom he owed so many obligations, and from whom he had formerly received so much kindness, would be painful to him in the extreme, to the end of life.

On a former occasion, Mr. Fox had called the new constitution of France, the most stupendous and glorious monument which human integrity had erected to human happiness, at any time or in any country, from which neither insult nor injury could be dreaded by her neighbors; and now he pronounced the French revolution, one of the most glorious events in the history of mankind. The old despotism was annihilated; the new system had the good of the people for its object; and that was the point on which he rested. He considered the French revolution such an acquisition to the cause of freedom, from the dominion of France over the manners of other nations, as to justify his former panegyric; and he apologized for the excesses of the French people, in its progress, by remarking, that it was natural for them to be guilty of many extravagant and absurd actions, from the apprehension of a sudden return of that despotism which they had destroyed. The

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calamities, however, which France had endured were trivial in comparison of the benefits, to which they had led; and he was convinced, that the French revolution would do good to England, by holding out an useful lesson both to the monarch and to the people. His admiration of that great event had been misrepresented: it had been asserted, that every man must wish to imitate what he admired; but this he denied to be conclusive reasoning. There was, indeed, one article, in which he was desirous of imitating the French: it related to a subject, on which he had been uniform throughout his political life—that of universal toleration. He said, that when Mr. Burke's book* was published, he had condemned the work, and every doctrine which it contained, both publicly and privately; he acknowledged, that he had not read the works of Mr. Mackintosh and Mr. Paine upon the same subject; but he considered such discussions as useful to political and moral truth; neither would he arraign any man for proposing to incorporate into the constitution of this country, what he approved in the system of another nation. He was ready to maintain, that the rights of man, how much soever ridiculed, as chimerical and visionary, those original rights, which no prescription could supersede, no accident could remove, were in fact the basis of every rational constitution, and even of the constitution of Great Britain. By recurring to the speeches and declarations of Mr. Burke, during the American war, and in the struggle in 1784, he endeavored to fix upon him the stigma of inconsistency and gross departure from the principles upon which he had hitherto acted; and accused him of having spoken of

* Reflections upon the French revolution.

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the French revolution without sufficient information, and of having misrepresented facts.

Mr. Burke lamented, that Mr. Fox, after an intimacy of more than two-and-twenty years, should, without the least provocation, have made a personal attack upon him, and arraigned his conduct with so much asperity. He denied the charge of inconsistency; asserting, that no alteration had taken place in his opinions upon government; and that there was not one action of his life, or one syllable in his book, contrary to the principles of those men, with whom our glorious constitution in 1688 originated, and to whose principles, as a whig, he declared an inviolable attachment. He contended, that the issue of all which had been done, and of all which was then doing in France, could never serve the cause of liberty, but would inevitably tend to promote tyranny, oppression, injustice, and anarchy. He did not consider France as a republic; no, it was an anomaly in government; he knew not by what name to call it, or in what language to describe it. It was a compound (and he recited the verses of Milton) of the sublimely obscure and tremendous figure of death, having the likeness of a king's crown upon the seeming head, with the cry of hell-hounds that bark unceasingly round the waist of sin. It was a shapeless monster, born of hell and chaos. As to the church, it had been said, that the French had abolished all tests, and given a complete unequivocal toleration. So far from it, Mr. Burke affirmed, that they had established the most diabolical intolerance, which ever existed upon the face of the earth, and created a new test, not for the sake of security, but as the means of cruelty, oppression, and

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injustice, in order to afford an opportunity of depriving many thousand individuals of their bread. The clergy were forced to take this test, or starve; and yet France was the country, where there was said to be no test at all. Mr. Fox's eulogium upon the French revolution, might have an effect upon those who heard it, which he did not intend, and still more upon others, through misapprehension or misrepresentation: its excesses were mentioned with tardy and qualified censure, while its praises were trumpeted with the loudest blasts throughout the nation. At a time when open and avowed attempts were made to circulate pamphlets and disseminate opinions subversive of the prerogative, and consequently dangerous to the constitution, it was unwarrantable for any member of that house to be day after day holding out a parade of democracy, in order to set the unthinking-many raging against the crown. He conceived, that there then existed a run against monarchy; but he trusted, that timely care would be taken to avert the impending evil. He confessed, that he wished to introduce the subject of the French revolution, for several reasons; but principally on account of the danger which threatened our own government, from practices notorious to all the world. Were there not clubs in every quarter, who met and voted resolutions of the most alarming tendency? Did they not correspond, not only with each other, in every part of this kingdom, but with foreign countries? Did not members of these clubs preach, in their pulpits, doctrines which were dangerous; and celebrate, at their anniversary meetings, proceedings incompatible with the spirit of the British constitution? At present, he apprehended no immediate danger. The king was

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in full power, possessed of all his functions; his ministers were responsible for their conduct; the country was blessed with an opposition of strong force; and the common people themselves seemed to be united with the gentry in warm feelings of loyalty. Nevertheless, he maintained, that there was still sufficient cause for jealousy and circumspection. In France there were 300,000 men in arms; who, at a favorable moment, might be happy to yield assistance to their neighbors; besides, a time of scarcity and tumult might come, when the greatest mischief was to be dreaded from a class of people, whom we might now term low intriguers and contemptible clubbists, but whom we should, at such a moment, find truly formidable. He remarked, that he had formerly differed from Mr. Fox, in several instances, but without any interruption to their friendship. It was certainly indiscreet, at his time of life, to provoke enemies, or give his friends occasion to desert him; yet, if his firm and steady adherence to the British constitution placed him in such a dilemma, he would risque all; and, as public duty and public prudence taught him, with his last breath exclaim, "Fly from the French constitution." He knew the price of his conduct: he had, notwithstanding, done his duty, and lost his friend. Afterwards, addressing himself to Mr. Pitt and Mr. Fox, whom he called the two great rivals in that house, he expressed a hope, that whether they hereafter moved in opposite parts of the political hemisphere, as two flaming meteors, or walked together like brethren hand in hand, they would preserve and cherish the British constitution; that they would guard it against innovation, and protect it against the pestilential breath of French philosophy.

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Mr. Pitt observed, that, in his situation, and under present circumstances, it would be highly improper for him, to give any opinion upon the French revolution: but he felt it incumbent upon him to declare, that he thought Mr. Burke entitled to the gratitude of his country, for having on that day, in so able and eloquent a manner, expressed his sense of the degree of danger which already existed; and assured him, that if hereafter there should appear more serious ground for apprehension, he would most cordially co-operate with him, in taking every possible method to preserve what he (Mr. Pitt) esteemed the most perfect constitution in the world, and to deliver it down to posterity as the best security for the prosperity, freedom, and happiness of the British people. Lord Sheffield's motion, upon the suggestion of Mr. Pitt, was withdrawn, and the house adjourned, at a late hour, without making any progress in the bill.

It is remarkable, that, during this long altercation, not one of Mr. Burke's old friends stood forward in support of him or of his sentiments; while several persons of great consideration defended Mr. Fox, and avowed the coincidence of their opinion with his, upon the subject of the French revolution. Mr. Fox professed an earnest desire, that the present disagreement might not cause a breach between Mr. Burke and himself; but Mr. Burke was so strongly impressed with the dangerous tendency of the doctrines applauded and maintained by Mr. Fox, and so convinced of the impossibility of his ever acting with him again, that he openly declared, there must be an end of their political connexion. Foreseeing, that what was passing in France must ultimately, and probably at no distant

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period, affect these kingdoms, he obeyed the imperious call of public duty, which he held more sacred than all the dearest and strongest bonds of personal regard and party attachment; and thus gave the most unequivocal proof of the sincerity of those opinions, which, both in his parliamentary speeches, and in his publications, he had supported with so much force of argument and beauty of language. It was not a disagreement of a private nature, or upon a trivial point, arising from accidental misunderstanding, and which might be accommodated by mutual explanation, or the good offices of common friends—there now appeared to exist, between these two distinguished men, an irreconcileable difference upon the fundamental principles of government, and the primary obligations of social life, called into notice and action by a most extraordinary event in a neighboring country, which had already excited a lively interest in this kingdom; and, in the acute and penetrating judgment of Mr. Burke, threatened the most alarming consequences throughout every part of the civilized world.

THE examination of witnesses, respecting the slave trade, being at length concluded, and every necessary information upon the subject obtained, Mr. Wilberforce, on the 18th of April, moved for "Leave to bring in a bill to prevent the farther importation of slaves into the British colonies in the West Indies." The debate lasted two days, on the latter of which Mr. Pitt delivered his sentiments strongly in favor of the motion. He began by observing, that from the first hour of his having a seat in that house to the present, among all the

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questions, whether political or personal, in the discussion of which it had been his fortune to take a share, there never had been one, in which his heart was so deeply interested, as in that under consideration. It was not, however, a mere question of feeling; it was not solely for the sake of exercising humanity, that the abolition of the trade in slaves was pressed upon parliament. The main argument, which ought to determine the minds of gentlemen, was, that the slave trade was founded in injustice; "and it is, therefore, said Mr. Pitt, such a trade, as it is impossible for me to support, unless it shall be first proved, that there are no laws of morality binding upon nations, and that it is no duty of a legislature to restrain its subjects from invading the happiness of other countries, and from violating the fundamental principles of justice."

The chief objection urged against the motion, had been, the alledged impossibility of maintaining the population in the West Indies, without a fresh importation of slaves; and to that objection Mr. Pitt directed the greater part of his speech. But previously he expressed his hope, that gentlemen would not consider any disadvantage to the plantations, which was merely small and temporary, to be a sufficient reason to warrant the continuance of the trade. It was surely not any slight degree of expediency, any small balance of profit, or any light shades of probability, on the one side rather than on the other, which would influence the vote of any gentleman upon so important a point. He apologized even for the supposition. The house, he was confident, would not decide the question upon such grounds. The slave trade was an evil of such magnitude, that there must be a common wish in the house, at once

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to put an end to it, if there were no very great and serious obstacle. Nothing short of the utmost danger, nay of inevitable ruin, to the West Indies, ought to be urged as a reason for continuing a trade of this description. It was a trade, by which multitudes of unoffending nations were deprived of the blessings of civilization, and had their peace and happiness invaded; by which a whole continent was kept in a state of darkness, ignorance, bondage, and blood. It ought therefore to be no common expediency; it ought to be either some positive necessity, or at least something very like necessity, which it became those to plead, who took upon themselves to defend the continuance of this trade. He knew that the West Indian gentlemen had used very strong language upon this part of the subject, and had expressed an alarm for the islands, which was of a very serious nature indeed. It would be proper, however, for the house to judge for themselves; for he could not help thinking, that there was an over great degree of sensibility among those gentlemen on this particular point; and that their alarm, as he hoped to prove, was excited in a manner which the occasion by no means justified. He had himself endeavored carefully and impartially to examine into the ground of this apprehension, and he would now proceed to lay those reasons before the house, which induced him firmly to believe, not only that no permanent mischief would ensue from the abolition, but not even any such temporary injury or inconvenience, as could be considered an adequate reason for preventing the house from agreeing to the motion before them; and that, on the contrary, the abolition itself would lay the foundation for the more solid improvement of all the various interests of those colonies.

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Mr. Pitt then stated, in detail, from the evidence presented to the house by their committee, the annual loss of slaves in the several islands, that is, the excess of deaths above the births; and shewed it to be so small, that no doubt could remain of the number being fully kept up without any fresh importation, by means of new regulations, and a general improved mode of treating the slaves, which would of course follow the abolition of the trade, and must have the effect of diminishing the number of deaths, as well as of rendering the slaves more prolific. Was there then, continued Mr. Pitt, any ground for alarm from the measure of abolishing the slave trade—of abolishing it entirely and immediately? And was there in reality any of that impracticability to be pleaded, on which alone so many gentlemen had rested all their objections? Must we not blush at pretending, that it would distress our consciences to abolish this most horrid trade, on account of the dangerous consequences to the West Indian Islands?

Intolerable were the mischiefs of that trade, both in its origin, and through every stage of its progress. Africa had been described as a country half cultivated; and in such a country, in order to promote that trade, application must be made to the avarice and the worst passions of the princes. To say that slaves can be furnished by fair and commercial means, would be absurd and ridiculous. The trade sometimes ceased, as during the last war; sometimes the demand increased, sometimes it was declining, according to circumstances. But how was it possible, that to a demand so extremely fluctuating, the supply of slaves should always exactly accommodate itself? "Alas! Alas!" said Mr. Pitt, "we make human beings the subject of commerce; we learn to talk of them as such,

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yet we will not allow to them the common principle of commerce, that the supply must accommodate itself to the consumption. It is not from wars, then that the slaves are chiefly furnished. They are obtained by other methods, in proportion as they are wanted. If a demand for slaves arises, a supply is forced in one way or other; and it is in vain, overpowered as we now are, with positive evidence, to deny, that by the slave trade, we are the causes of the dreadful enormities committed on that unhappy continent. It is plain, if we consider the number annually carried off, that no regular or ordinary means can furnish so many captives."

After describing the cruelty and misery of the middle passage, and pointing out the advantages which the West Indies themselves would derive from the abolition of the slave trade, he concluded with observing, that he could not conceive an act of more indispensable duty, upon every ground of humanity, justice, and policy, than that which was then proposed to the house.

Although Mr. Fox entirely coincided with Mr. Pitt on this occasion, and pronounced his arguments for the abolition to be unanswerable, yet such were the fears and prejudices of those who were concerned in the property and commerce of the West Indies, and such their influence in the house, that the motion was negatived by a majority of 163 to 88.

THE time being now arrived, at which the finance committee of 1786 had given reason to hope, that a permanent peace establishment would take place, a committee was appointed on the 8th of April, upon the motion of Mr. Pitt, to inquire what had been the amount of the income and expenditure of

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the country during the last five years, and what might be expected to be the annual amount thereof in future; and also what alterations had taken place in the amount of the national debt, since the 5th of January 1786.

From the report of this committee, which was presented to the house on the 10th of May, it appeared, that the average annual produce of the taxes for the last five years, had exceeded the estimate about 80,000*l.*; that all the expences of the same period, amounting to 88 millions, exclusive of the armament of 1790, for which a special provision was made, had been defrayed by the annual income and the sums received from extraordinary resources, with the addition of one million raised by a tontine, and of 187,000*l.* raised by short annuities; that, according to the most correct estimate which could now be made, the annual income of the country would in future exceed the expences of a peace establishment, by 62,000*l.*; that 3,822,003*l.* had been applied to the diminution of the national debt, above the sums by which it had been encreased; and that the stocks purchased by the commissioners, up to February the 1st, 1791, amounted to 6,772,350*l.* This report was in all its parts highly satisfactory, and confirmed the statements made by Mr. Pitt, from time to time, of the financial situation of the country.

On the 18th of May, Mr. Pitt opened the budget, and was enabled to provide for all the services of the year, amounting to 5,728,000*l.* without a loan, or any additional taxes.

A petition had been presented to the house of commons, on the 7th of May 1789, by certain persons, calling themselves catholic dissenters; implying, by that title, that they did not

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believe all the tenets generally maintained by roman catholics. The petitioners stated, that they, and other papists, were subject to various penal laws, on account of principles, which they were supposed to entertain, dangerous to society, and totally repugnant to political and civil liberty; and therefore, they thought it due to their country, and to themselves, publicly to disclaim and protest against the five following doctrines: 1. That princes excommunicated by the pope, or by any authority of the see of Rome, may be deposed or murdered by their subjects, or other persons. 2. That implicit obedience is due to the orders and decrees of popes and general conncils, even if they require open resistance to government, the subversion of the laws and liberties of the country, and the extermination of all persons not professing the roman catholic religion. 3. That the pope, by his spiritual power, can dispense with the obligations of any compact or oath. 4. That not only the pope, but even a priest, has power, at his will and pleasure, to pardon sins, and, consequently, can absolve from the guilt of perjury, rebellion, and high treason. 5. That faith is not to be kept with heretics *. The petitioners, conceiving that they, who thus solemnly disclaimed, and from their hearts abhorred, the above abominable and unchristian principles, ought not to be put upon a level with any other men, who might hold and profess those principles, humbly prayed, that the house would be pleased to

* These five doctrines are to be found in the decrees of councils, and other authentic documents of the church of Rome, and have always been considered as forming part of the faith of papists.

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grant them such relief, as, in its wisdom, it should deem to be just.

No notice was taken of this petition, till about the middle of the present session, when Mr. Mitford * moved for leave to bring in "a bill to relieve, upon conditions, and under restrictions, persons called protesting catholic dissenters, from certain penalties and disabilities, to which papists, or persons professing the popish religion, are by law subject." The object of this bill was, not to repeal any existing laws, or to enable catholic dissenters to hold any public situation or office, from which they were previously excluded, but merely to exempt such papists from the operation of some of the numerous † severe statutes, which had been passed in different reigns ‡ since the reformation, against persons professing the catholic religion, as should take an oath prescribed by the bill, renouncing the doctrines condemned in the above petition, and promising to bear true allegiance to the king, and to support the succession of the house of Hanover to the throne of these kingdoms §.

Mr. Pitt declared himself friendly to this bill; and Mr.

* Afterwards lord Redesdale.

† In Burn's ecclesiastical law seventy pages are occupied in an enumeration of the penal laws in force against papists.

‡ The reigns of James the second and of George the third, are the only reigns since the time of queen Mary, in which some additional severity was not enacted against roman catholics.

§ This oath was objected to, by three out of the four titular roman catholic bishops, most of the clergy, and a considerable number of the laity, as containing things contrary to the catholic faith, and as trenching upon the spiritual power of the head of the catholic church, and of its other pastors.

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Fox approved it, as far as it went; but complained, that it did not by any means go far enough: he wished it to extend to all papists, of every description. He maintained upon this, as he had done upon former occasions, that the state had no right to inquire into the opinions of people, either political or religious; it had a right only to take cognizance of their actions. He considered all tests, both in religion and politics, as absurd and unwise, with the single exception of the oath of allegiance; and asserted, that in this kingdom, toleration was narrowed and confined, in shackles disgraceful to humanity; and that such persecution and oppression, upon the ground of religious opinion, did not exist in any other country, as existed in England. He rejoiced, however, that, in a few years, a general toleration must prevail; for the times were too much enlightened, to suffer men's minds to remain fettered, as they were at present. He thought, that the religious establishment of every country was to be governed, not so much with regard to the purity of its precepts, and truth of its doctrines, as with a view to that sort of religion, which was most likely to inculcate morality in the minds of the majority of its inhabitants.

Mr. Burke protested against these sentiments of Mr. Fox, affirming, that a state had full right to inquire into the religious opinions of all who lived under its protection; and that an uncontrollable superintending power of this kind was highly necessary for the prosperity, safety, good morals, and happiness of the community. Opinions influenced the passions, and the passions governed the man. This was a natural effect, proceeding from a natural cause; and, such being the case, it

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was the interest and duty of government to maintain and exercise this power, under the guidance, indeed, of virtue and wisdom, candor and temperance.

Mr. Pitt agreed with Mr. Burke, in his general doctrine; but thought that government could not be said to possess an uncontrollable superintending power over the religious opinions of its subjects.

The bill passed the house of commons, without a dissentient voice; and the only division in the house of lords was, upon the clause allowing roman catholics to practise at the bar, which was carried by a majority of 26 to 9.

While this bill was under discussion in the house of commons, an earnest wish was expressed by several members, and among the rest by Mr. Pitt, that the penal statutes, formerly enacted against papists, under circumstances very different from those of the present day, and which, on account of that change, had not been enforced for a considerable period, should be repealed; but no step was taken for that purpose in this session.

ALTHOUGH the house of commons had, soon after the Christmas recess, acquainted the house of lords, that they were ready to proceed with the trial of Mr. Hastings, and had determined to confine themselves to one charge in addition to those already heard; yet, as the length of time occupied by the committee of the house of lords in searching for precedents, prevented the courts sitting till the 23d of May, it was evidently impossible to terminate the business in the present session, if the prorogation took place at the usual time. Mr.

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Loveden, therefore, on the 27th of May, moved that an address should be presented to the king, humbly requesting his majesty not to prorogue parliament, till the house of lords had given judgment upon the articles of impeachment exhibited against Mr. Hastings. This motion was opposed on the ground of its interference with the king's prerogative, the uncertainty of the time the trial might still continue, the inconvenience to which the members would be subjected by attendance in the summer, and the interruption which would be caused to the administration of justice, by requiring the presence of the judges at the time they ought to be upon their circuits. Mr. Fox, thinking that the motion went too far, although he approved its principle, proposed as an amendment, that the request to his majesty should be, that he would be pleased not to prorogue parliament, till such farther progress should be made in the trial, as would afford reason to expect, that it might be brought to a conclusion early in the next session. Mr. Pitt objected both to the motion and to the amendment; and the latter being rejected by a majority of 144 to 61, the former was negatived without a division. The evidence on the part of the prosecution, was finished on the 30th of May; and after an address from Mr. Hastings, in which he complained of the disgrace and hardships he was compelled to endure, in return for his long and meritorious services in India, the defence was postponed to the following session.

PARLIAMENT was prorogued on the 10th of June; and the king in his speech applauded the zeal with which the two houses had applied themselves to the different objects which had

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come under their consideration; and expressed his satisfaction with the measures which they had adopted. Upon the subject of foreign affairs, he only said, that he was not yet enabled to inform parliament of the result of the steps which he had taken, with a view to the re-establishment of peace between Russia and the Porte.

THE king had repeatedly offered the Garter to Mr. Pitt, but could not prevail upon him to accept it; and, on his finally declining that honor, soon after the commencement of this session, it was conferred upon his brother, the earl of Chatham. This refusal, it was observed, "evinced the indifference or superiority of the minister to the highest external decoration and distinction, as powerfully as his renunciation of a lucrative office, at a much earlier period of his administration, had proved his disinterestedness and contempt of emolument*."

* Sketch of reign of Geo. 3.

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CHAPTER THE FOURTEENTH:

1791.

Treaties of Peace—War in India—Affairs of France—Riots at Birmingham—Meeting of Parliament—Finance Measures—Russian Armament—Police of the Metropolis—Penal Laws against Dissenters—Parliamentary Reform—Royal Proclamation—Conduct of Magistrates at Birmingham—Slave Trade—New Forest Bill—Prorogation of Parliament—Dismissal of Lord Thurlow—Conclusion of the War in India—Mr. Pitt appointed Warden of the Cinque Ports.

THE negotiations for peace between Austria and the Porte, mentioned in the last chapter, proceeded with all practicable dispatch at Sistovia; and the difficulties and obstacles being surmounted, through the intervention of the mediating powers, a definitive treaty upon fair and equitable terms, was signed on the 4th of August.

Immediately after the delivery of the king's message, relative to his majesty's unsuccessful endeavors to effect a pacification between Russia and the Porte, a fleet was expeditiously equipped by great exertions of the admiralty, for the purpose of giving weight to the representations of our envoy at the court of Petersburgh; but Mr. Pitt had the mortification to find that this measure was by no means approved, either in parliament, or by the nation at large. The point in dispute not being of a nature to excite any general interest, the abstract principle of preserving the balance of power in Europe, and the prospective policy of guarding against future mischief, did

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not appear to the public sufficient reasons for incurring the risque and expences of war; and Mr. Pitt, perceiving that the armament was every day growing more unpopular, judged it expedient to abandon all idea of hostile interference. He formed, indeed, this determination so early, that, by sending a second messenger, he was able to prevent a strong memorial which he had dispatched to Petersburgh, from being delivered to the Russian ministers; and, instead of it, he directed the British envoy to withdraw all opposition to the demand of the empress, to which he had before objected. The negotiation then proceeded without material difficulty; and a treaty of peace between Russia and the Porte, was signed on the 11th of August, leaving Catharine in possession of Oczakow and its dependencies. But though Mr. Pitt did not succeed in his immediate object, the disposition evinced by the allied powers, and the part they took in the negotiation, were unquestionably of great assistance in procuring for Turkey better terms, than in her vanquished and exhausted state, she could otherwise have obtained; and these terms would have been still better, and perhaps his main purpose secured, if his exertions had not been counteracted, in the very extraordinary manner which will be hereafter related. From what passed during the war, the empress must also have been convinced, that she would not at any future time be suffered to carry into execution her ambitious views respecting the Turkish dominions, or so far to weaken any of the northern kingdoms, as to destroy the balance of power in that part of Europe.

The king of Prussia had cordially co-operated with Great Britain, in the attempt to prevail upon the empress of Russia

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to relinquish her claim to Oczakow; and the following private letter to Mr. Ewart, our minister at Berlin, from Mr. Pitt, after he had determined not to proceed to extremities, will best shew his views and feelings respecting this transaction, in his own words:

"Hollwood, May 24, 1791.

"My dear Sir,

"You are so fully apprised, from your own observation, and from our repeated conversations *, of all which has passed here, in relation to affairs abroad, and of every sentiment of mine on the subject, that I can have nothing fresh to add in this letter.

"I wish, however, to repeat my earnest and anxious desire, that you should find means of informing the king of Prussia, as openly and explicitly as possible, of the real state of the business, and of the true motives of our conduct. He knows, I am persuaded, too well, the effect which opinion and public impression must always have in this country, either to complain of our change of measures, or to wonder at it, if the true cause be fully explained to him. You perfectly know, that no man could be more eagerly bent than I was, on a steady adherence to the line which we had at first proposed, of going all lengths to enforce the terms of the strict status quo; and I am still as much persuaded as ever, that if we could have carried the support of the country with us, the risque and expence of the struggle, even if Russia had not submitted without a struggle, would not have been more than the object was worth.

* Mr. Ewart had been in England, and only lately returned to Berlin.

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"But notwithstanding this was my own fixed opinion, I saw, with certainty, in a very few days after the subject was first discussed in parliament, that the prospect of obtaining a support, sufficient to carry this line through with vigor and effect, was absolutely desperate. We did indeed carry our question in the house of commons, by not an inconsiderable majority; and we shall, I am persuaded, continue successful in resisting all the attempts of opposition, as long as the negotiation is depending. But from what I know of the sentiments of the greatest part of that majority, and of many of the warmest friends of government, I am sure, that if, in persisting on the line of the status quo, we were to come to the point of actually calling for supplies to support the war, and were to state, as would then be indispensable, the precise ground on which it arose, that we should either not carry such a question, or carry it only by so weak a division, as would nearly amount to a defeat. This opinion I certainly formed neither hastily nor willingly; nor could I easily make a sacrifice more painful to myself, than I have done in yielding to it. But feeling the circumstances to be such as I have stated them, the only question that remained was, whether we should persist, at all hazards, in pushing our first determination, though without a chance of rendering it effectual to its object, or whether we should endeavor to do what appears to be the next best, when what we wished to do became impracticable.

"To speak plainly: the obvious effect of our persisting, would have been, to risque the existence of the present government, and with it, the whole of our system both at home and abroad. The personal part of this consideration, it would have

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been our duty to overlook, and I trust we should all have been ready to do so, if by any risque of our own, we could have contributed to the attainment of a great and important object for this country and its allies: but the consequence must evidently have been the reverse. The overthrow of our system here, at the same time that it hazarded driving the government at home into a state of absolute confusion, must have shaken the whole of our system abroad. It is not difficult to foresee what must have been the consequence to Prussia, of a change effected by an opposition to the very measures taken in concert with that court, and resting on the avowed ground of our present system of alliance.

" On these considerations it is, that we have felt the necessity of changing our plan, and endeavoring to find the best expedient we can, for terminating the business, without extremities. Fortunately, the having succeeded in stopping the proposed representation to Russia, has prevented our being as pointedly committed as there was reason to apprehend we might have been. The modifications which have been suggested, the recommendation of them from Spain, the prospect of bringing that court to join in a subsequent guaranty of the Turkish possessions, and the chance of perhaps bringing the emperor to accede to our system, are all circumstances, which give an opening for extricating us from our present difficulty. You are so fully master of the whole of those details, that I shall not enlarge upon them. My great object is, that you should be able to satisfy the king of Prussia, of the *strong necessity*, under which we have acted, and that we really had no

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other choice, with a view either to his interests, or to those which we are most bound to consult at home."

"I am, &c.

W. PITT."

IN consequence of this conclusion of the Russian business, the duke of Leeds thought proper to resign the seals, as foreign secretary of state, and lord Grenville was removed to the foreign from the home department, in which he was succeeded by Mr. Dundas. This last was considered as only a temporary appointment, it being wished, by Mr. Pitt, that lord Cornwallis, who was expected soon to return from India, should be home secretary of state. He made this proposal to lord Cornwallis, who, in his answer, dated December 3d, 1791, informed him, that among other objections, it was impossible for him to leave India, while the war with Tippoo continued. On the 23d of the following month, he wrote again to Mr. Pitt, upon the subject, from the camp, near Outradoog; and referring to his former letter, said,—"It has since occurred to me, that although my detention in India must naturally do away the present question, I ought to have given my sentiments more explicitly on the subject at large, in order to prevent that favorable opinion, which is so highly flattering to me, from being the cause of trouble and embarrassment to you on a future occasion.

"I will freely own to you, that if any thing could induce me to come forward in a station of business and responsibility at home, it would be the allurement, that would be held out to my vanity, by being enrolled as a member of an adminis-

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tration, the uprightness of whose principles, and the wisdom and vigor of whose conduct, I so truly respect.

"I have, however, always been of opinion, that no man who has a regard for the consideration in which he is to stand with his country, should produce himself, even in the house of lords, as an efficient member of administration, without possessing such powers and habits of parliamentary debate, as would enable him to do justice to a good cause, and defend his measures, as well as those of his colleagues.

"The maxim of *orator fit*, which has produced so much bad speaking, and so much ennui in this world, may be true in some instances, but he is not to be made ex quovis ligno; and I should doubt, whether the timber ought to undergo a seasoning of above half a century.

"We can talk more fully upon this subject when we meet; and, in any event, you may be assured, that I shall at all times be ready to communicate any local knowledge I may possess, and to give my opinions both of Indian men and measures, in the most unreserved manner, to yourself and Mr. Dundas, and to those who act with you*."

EARLY in the year 1791, lord Cornwallis took the command in person of the British forces in India, and entered the dominions of Tippoo Saib, without encountering any opposition. He marched towards Bangalore, the second place in point of importance in Mysore, and having beaten Tippoo in several engagements, made himself master both of the town

* When lord Cornwallis returned from India, he declined the offer of being home secretary of state, and Mr. Dundas continued in that situation.

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and fort before the end of March. In the former, he found large magazines of grain, forage, and fuel; and, in the latter, immense quantities of military stores, and 124 pieces of cannon.

In the beginning of May, being joined by the nizam's cavalry, and having received a reinforcement of European and native troops, he left Bangalore, and after a fatiguing march of ten days reached Avakerry, about nine miles from Seringapatam. Tippoo had stationed his army in a strong position, at a moderate distance from the city, where he was attacked by lord Cornwallis, and so completely defeated, that he was compelled to take shelter under the batteries of his capital. Lord Cornwallis did not consider his present force sufficient to reduce Seringapatam, which was situated upon an island, and defended by strong and extensive fortifications; and, therefore, he determined to defer all farther operations, till he should be joined by the Mahrattas, whose arrival he expected shortly, and by general Abercrombie, who was advancing from the west. But, upon examination, it appeared, that his stock of provisions was extremely short; and it being impossible to procure a supply in the country he at present occupied, he marched towards Periapatam, where general Abercrombie had been ordered to wait for instructions. Unfortunately, the periodical rains, having set in earlier than usual, had rendered the river Cavery impassable, and he was under the mortifying necessity of sending directions to general Abercrombie to return to the Malabar coast, and of conducting his own army back to Bangalore. In his way thither, he met the Mahrattas coming to his support, and amounting to upwards of 30,000

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men; but it being then too late, on account of the monsoons, to enter upon the siege of Seringapatam, the remainder of the year was employed in besieging and taking several fortresses, which gave the allies the command of all the surrounding country, and in making preparations for the next campaign.

THE national assembly of France commenced this year, with a decree announcing their intention to dissolve themselves, and call a new assembly, as soon as they should have completed the constitution, upon which they had of late been very busily employed, and had already passed many of its fundamental laws. In the mean time, fear was entertained, or at least pretended, that some attempt would be made at a counter-revolution, in consequence of an army, composed of emigrants, under the command of the prince of Condé, being collected on the borders of Alsace, and of German troops being marched into the same neighbourhood; and accordingly a decree was passed for a considerable augmentation of the army. But though great jealousy prevailed, the comparative tranquillity of Paris, and the utter annihilation of all substantial power in the king, had led the ruling party to allow his majesty more personal liberty than he enjoyed, when he was first removed to Paris.

It being known, that the royal family proposed to pass the Easter holidays at St. Cloud, a report was instantly spread, that the king was about to fly the country, and when the royal carriages appeared before the palace on the 18th of April, the populace assembled in great numbers, and would not suffer

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them to move. La Fayette called out the national guards, for the purpose of enabling his majesty to proceed to St. Cloud; but the soldiers, refusing to obey their commander, presented their bayonets to the postilions, while the people cut the traces. The king, at length alighting from his carriage, returned into the palace; and the next morning he went to the national assembly, and stated the insult which had been offered to him: but all interposition on their part being declined, he was reduced to the necessity of yielding to the will of the mob, and relinquishing his intended excursion.

This daring and wanton outrage had the effect of considerably increasing emigration; and it probably determined the king to withdraw from his capital, where he had not only lost all authority, but was exposed to the grossest indignity, and even to personal danger. After weighing and reflecting upon a variety of plans and proposals, it was at length settled, that his majesty should go to Montmedi*, a fortified town upon the frontiers, with a view of collecting there the real friends of rational liberty and mixed monarchy, and of making one effort to rescue the country from its present calamitous situation, and to avert the still greater evils with which it was threatened. Arrangements being made for this journey, the king set out privately in the night of the 20th of June, with the queen and his two children; but being recognized at Varennes, only a few leagues from the place of their destination, they were stopped and compelled to return to Paris, under an escort of the national guards. The king and queen were confined in separate

* Montmedi was 27 miles from Luxemburg, and 135 north-east from Paris.

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apartments of the Thuilleries; and the dauphin was placed under the care of tutors, appointed by the national assembly, who were to educate him in what were called constitutional principles.

From the unfortunate failure of this attempt, the enemies of the king derived great accession of strength, and now proceeded in forming the constitutional code, with scarcely any opposition. The loyal members, however, of the national assembly issued a declaration, in which they apologized for their acquiescence in measures which they totally disapproved, and lamented the afflicting spectacle which they had the misfortune to witness. After pronouncing the treatment of the king and the royal family, who had, they said, been conducted to Paris as prisoners, and were there guarded by soldiers not under the king's command, to be in direct contradiction to laws recently passed, they asked, "Amidst these outrages, what has become of the monarchy? The decrees of the national assembly have centered in themselves all the royal power; the seal of the state has been deposited upon their table; their decrees are rendered valid, without requiring any farther sanction; they give direct orders to all the agents of the executive power; they impose in their own name, oaths, in which Frenchmen do not find even the name of their king; commissioners, who have received their authority from them alone, traverse the provinces in order to exact oaths and give directions to the army: thus, at the moment the inviolability of the king was annulled, monarchy was destroyed; the appearance of royalty no longer exists; a republican interim has succeeded." This declaration was signed by 290 members of the national assembly, and con-

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tained a just description of the degraded state to which the king was reduced.

The constitutional code was completed early in September; and while the king was actually deprived of personal liberty, the monarchy was nominally retained, the ruling party not thinking it expedient at present to get rid of all the forms of kingly government. The authority given to the king, by the new constitution, even if he had been suffered to exercise it without restraint, would have been utterly inadequate to the government of the extensive and populous country of France; and its other defects and absurdities were numerous and palpable in the extreme. His majesty, however, had no alternative, but to accept this code; and his acceptance of it was announced to all the courts of Europe.

The assembly, which is generally distinguished by the name of the constituent assembly, was dissolved on the 30th of September, having previously ordered, without the consent of the king, another assembly to be elected according to the provisions of their constitutional code.

THE language of Mr. Fox, and his party in parliament, encouraged the members of the political societies and clubs in London, and different parts of the kingdom, which had considerably increased in number, to avow, without any reserve, their admiration of the French revolution, and to give strong intimations of their principles and wishes with respect to their own country, the government of which they represented as standing in need of a radical reform. They entered into a close correspondence with the Jacobin clubs in France; and there seems to have

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been a mutual commmunication of sentiments and advice, for the purpose of promoting their respective views. "We assure you," say the French Jacobins, in a letter to their friends in England, dated July 30th, 1791, "that we have examined with care, the various objects, which your preceding letters confided to our solicitude, and that we have followed your suggestions in the different committees of the national assembly." Upon the king's flight from his capital, the Jacobins in Paris addressed a circular letter to all the societies affiliated to them, a copy of which was not only sent to the Revolution society in London, but openly published in our newspapers, as received by them. Besides this Revolution society, there was the Constitutional society, which equally favored the French revolution, the principal members of both being dissenters from the church of England; and there was also a third, called the Unitarian society, consisting entirely, as its name implied, of dissenters, the proceedings of which were by no means confined to religious subjects. At a meeting of this last society, in the beginning of the present year, at which Dr. Priestley presided, Dr. Kippis, after pronouncing a high panegyrick upon the French revolution, as "an event calculated to ameliorate the condition of men over all the earth," proposed to commemorate, by convivial meetings, the anniversary of the destruction of the Bastile, on the following 14th of July. This proposition, being seconded by Dr. Towers *, in a speech containing the same sentiments, was unanimously adopted.

Dr. Priestley intended to celebrate this festival at Birmingham, the place of his accustomed residence, where the strong

* Dr. Priestley, Dr. Kippis, and Dr. Towers were dissenting ministers.

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language, in which he had lately avowed his political and religious sentiments, had rendered him extremely unpopular. His discourse, delivered to the supporters of the New College at Hackney*, on the 27th of April, seemed to have been composed under the full impression, that a great revolution was approaching both in church and state; and that the institution at Hackney would shortly become instrumental to the advancement and perfection of civil and religious liberty. In his funeral sermon on Dr. Price, he boasted of the interest which his deceased friend had taken in the events of the French revolution; and compared his death to that of "a warrior dying in the moment of victory." Another work of his, professedly political, published at the beginning of the same year, contained many passages still more explicit: he praised the Americans as having set a glorious example to France, and to the whole world, in forming "a completely new government on the principles of equal liberty, and the rights of man—without nobles—without bishops—and without a king." This country he declared to be hastening with an accelerated motion towards a great crisis, similar to that which had occasioned the French revolution; and if it should be as much benefited by the result, as France, in his opinion, was likely to be, he did not scruple to pronounce, "that great crisis, dreadful as it might be in prospect, a consummation devoutly to be wished."

A few days before the 14th of July, the following hand-bill was circulated in the town of Birmingham:

* Instituted for the education of dissenters, principally those designed for the ministry.

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"My countrymen,

"The second year of Gallic liberty is nearly expired. At the commencement of the third, on the 14th of this month, it is devoutly to be wished, that every enemy to civil and religious despotism would give their sanction to the common cause, by a public celebration of the anniversary. Remember, that on the 14th of July, the Bastile, that high altar and castle of despotism, fell; remember the enthusiasm, peculiar to the cause of liberty, with which it was attacked; remember that generous humanity, that taught the oppressed, groaning under the weight of insulted rights, to spare the lives of oppressors. Extinguish the mean prejudices of nations, and let your members be collected and sent as a free-will offering to the national assembly. But is it possible to forget, that your own parliament is venal, your ministers hypocritical, your clergy legal oppressors, the reigning family extravagant, the crown of a certain great personage becoming every day too weighty for the head that wears it, too weighty for the people that gave it. Your taxes partial and oppressive—your representation a cruel insult upon the sacred rights of property, religion, and freedom. But, on the 14th of this month, prove to the sycophants of the day, that you reverence the olive branch, that you will sacrifice to public tranquillity, till the majority shall exclaim, "The peace of slavery is worse than the war of freedom: of that day let tyrants beware."

This hand-bill* caused so great a ferment among the inhabitants, who were in general firmly attached to the constitution

*. As soon as an inquiry was set on foot to discover the author of this hand-bill, with a view to his being prosecuted, a dissenting minister, who had long

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in church and state, that the idea of the celebration was at first relinquished; but unfortunately, the original design was afterwards revived, and a determination formed to hold the meeting, whatever might be the consequence.

On the appointed day crowds of people surrounded the door of the hotel where the dinner was prepared, and the company entered amidst hisses and other marks of disapprobation. Towards evening the tumult increased, and the meeting broke up at an early hour. Soon after, the populace demolished the windows of the hotel; and proceeding from one outrage to another, destroyed two meeting houses, and the dwelling house of Dr. Priestley, and of several other persons, both in the town and neighborhood, who were known to be friendly to the principles of the French revolution. The exertions of the civil magistrates to disperse or check the rioters, were entirely fruitless; and these unwarrantable excesses continued at intervals from the Thursday to the Sunday evening, when three troops of horse soldiers arrived, and tranquillity was at length restored. Some of the ringleaders were apprehended and tried, three of whom suffered death; and the losses of individuals, according to the wise provision of our laws, were made good by the hundred in which the buildings were situated*.

resided at Birmingham, and on whom suspicion had fallen, suddenly disappeared, went abroad, and was never more heard of in this country.

* Dr. Priestley laid his damages at 4,122*l.* 11*s.* 9*d.*; but the sum awarded him by the jury, was only 2,502*l.* 18*s.* The deductions were on account of MSS. of his own composition, which he valued at 420*l.* 15*s.* for which the jury would allow nothing, and of a philosophical apparatus, which he valued much higher than the jury thought right.

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PARLIAMENT met on the 31st of January 1792, and the king in his speech from the throne, after mentioning the marriage of the duke of York with the princess royal of Prussia, and the pacification effected in the north of Europe, through the mediation of himself and his allies, informed the two houses, that though the war in India was not terminated, the success, which had already attended the British arms, afforded reasonable ground to hope, that it might speedily be brought to an honorable conclusion. His majesty next remarked, that as the general state of affairs upon the continent, appeared to promise a continuance of the present tranquillity, some reduction, he conceived, might be made in the naval and military establishments, which, with the progressive increase of the revenue, might enable parliament to repeal a part of the existing taxes, and at the same time give additional efficacy to the plan for the liquidation of the national debt. With a view to the same important object, he recommended also the adoption of such measures as the state of the funds, and of public credit, might render practicable and expedient, towards the diminution of the interest of the redeemable annuities; and at the end of his speech, he observed, that the continued and progressive improvement in the internal situation of the country, must confirm and increase the steady and zealous attachment of his subjects to that constitution, which had been found, by long experience, to unite the inestimable blessings of liberty and order; and to which, under the favor of Providence, all our other advantages were principally to be ascribed.

To the usual address of thanks, in which all the different

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topics of the speech were noticed, an amendment was moved, the purport of which was, to omit that part of it which congratulated his majesty upon the successes in India, "under the able conduct of lord Cornwallis," and to substitute a paragraph, expressive of regret, that the prospect of a speedy termination of the war, held out by his majesty, in his speech at the opening of the last session of parliament, had not been realized. In support of this amendment, it was urged, that no advantage had been gained in India, which would warrant the congratulations contained in the address; and that lord Cornwallis, having failed in the main object of the campaign, the capture of Seringapatam, could not be considered a fit object of commendation. But, on the other hand, it was contended, that since the commencement of hostilities, we had detached from Tippoo all the powers of the Malabar coast, whose assistance had been so useful to Hyder Ally in his wars with the English; that we had formed a confederacy with the nizam and the Mahrattas; that we had gained several important victories; and that the enemy, having lost all the other considerable places in his dominions, was confined to a narrow district round his capital; all which circumstances constituted a fair ground for congratulation, and proved, that the war had been conducted with ability; particularly, as nothing but casualties, which no human foresight could have guarded against, had prevented the capture of Seringapatam.

Strictures were also made by Mr. Grey and Mr. Fox, upon the suggestion from his majesty, that it might be proper to relieve the country from the burden of some of the existing taxes. To originate taxes, and to originate the repeal of

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taxes, they stated to be the exclusive rights of the house of commons; and any encroachment upon either of those rights was, in fact, a breach of privilege. Could it be reasonably supposed, they asked, that the constitution had conferred upon the representatives of the people, the unthankful office of imposing taxes, and of enacting severe laws to give them efficacy, while it invested the crown with the popular prerogative of proposing their repeal?

Mr. Pitt admitted, that the right of originating, as well as the right of repealing, taxes, undoubtedly belonged to the house of commons: nevertheless, he maintained, that, as the demand, which occasioned taxes, and the recommendation of measures which required money to support them, came from the crown; his majesty, in stating the improved condition of the revenue, might constitutionally express his hope, that so fortunate a circumstance would enable the house to lighten the burdens, which the exigency of the times had previously induced it to impose *. Had the speech specified the particular taxes, which might be repealed, or even mentioned the precise sum by which the national income might be diminished, Mr. Pitt acknowledged, that there would have been reasonable cause for jealousy; but his majesty had only,

* In a subsequent debate this session, Mr. Rose observed, that, except the reduction of the land-tax, there were only two instances of a repeal of taxes in the present century, without substituting others in their room, both of which had been more directly and pointedly recommended from the throne than the present. In fact, the land-tax could not be said to be repealed, as it was voted annually, though the amount formerly varied from one to four shillings in the pound, according to the exigencies of the country.

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CHAP. XIV. 1792. in the most general and unexceptionable terms, called the attention of the house to the practicability, in the present state of this country, and of Europe, of relieving his people, in some degree, from the pressure under which they at present labored.

The amendment was negatived by a majority of 209 to 85; and the address passed.

THE first business brought forward by Mr. Pitt, in this session, was the budget; upon which occasion, he not only described, fully and minutely, the present flourishing condition of the revenue, trade, and manufactures of the kingdom, but entered also into a profound and able investigation of the causes which had produced those beneficial effects. After a few introductory observations upon the welcome intelligence announced in his majesty's speech, relative to the improvement in the public finances, he informed the house, that the income of the country, in the last year, had amounted to 16,730,000*l.* which exceeded the income of the year preceding, by 300,000*l.* and the average of the last four years, by more than half a million. There having been a constantly progressive increase in the income of the country for the last four years, he considered himself fully justisfied, in considering the average of those years, namely, 16,212,000*l.* as the future annual produce of the revenue, and in founding his calculations and measures upon that supposition. Allowing for the necessary alterations in certain respects, which he specified, since he last addressed the house upon this subject, he estimated the future annual expenditure of the country, at 15,811,000*l.* which was

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401,000 *l.* less than its annual income. There being that disposeable surplus of income, he proposed to add 200,000 *l.* a year to the sinking fund, and to take off taxes to the same amount, selecting such as would afford the most extensive relief to the public, especially to the poorest and most industrious classes of the community. The sum remaining in the exchequer unappropriated, enabled him farther to propose, that in the present year, 400,000 *l.* in addition to the annual million, should be applied to the reduction of the national debt, and 100,000 *l.* towards the expences of the Spanish armament, by which means the additional tax upon malt, imposed last year, might be immediately repealed. The other taxes which he proposed to repeal, were those upon female servants, carts and waggons, houses having less than seven windows, and the last half-penny per pound upon candles He enumerated the various articles of the supply of the current year, which amounted to 5,654,000 *l.*; and of the ways and means, which amounted to 5,691,000 *l.* leaving an excess of 37,000 *l.* in favor of the ways and means, The loyalist debentures were not included in the supply, or the profits of the lottery in the ways and means, because the latter were to be applied towards the discharge of the former; and he thought that the whole of these debentures would be liquidated in the four succeeding years; after which, the profits of the lottery, being about 300,000 *l.* a year, might, with the consent of parliament, be equally divided between the sinking fund and the repeal of taxes. He held out a most encouraging prospect of still farther relief, from the repeal of taxes in future years; and though he was aware of the many contingencies, which

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might, by disturbing the public tranquillity, and interrupting the present prosperity of the nation, prevent any measure of that kind, there never was a time, he said, in the history of this country, when, from the situation of Europe, we might more reasonably expect fifteen years of peace, than at the present moment. He went through a variety of calculations respecting the operation of the sinking fund, which he expected would reach its maximum of four millions in 1808; and he intimated his intention of submitting to the house, on a subsequent day, a plan relative to future loans, in case of war. He then pointed out the gradual and uniform increase which had taken place in all the principal branches of the revenue, and likewise in the exports and imports; and after this most satisfactory detail, which, from a singular perspicuity of arrangement and language, was intelligible to all who heard it, he proceeded in the following manner:

"Having stated the increase of revenue, and shewn that it has been accompanied by a proportionate increase of the national wealth, commerce, and manufactures, I feel that it is natural to ask, what have been the peculiar circumstances to which these effects are to be ascribed?

"The first and most obvious answer, which every man's mind will suggest to this question, is, that it arises from the natural industry and energy of the country: But what is it which has enabled that industry and energy to act with a vigor, so far beyond the example of former periods? The improvement which has been made in the mode of carrying on almost every branch of manufacture, and the degree to which labor has been abridged, by the invention and application of ma-

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chinery, have, undoubtedly, had a considerable share in producing such important effects. We have besides seen, during this period, more than at any former time, the effect of one circumstance which has principally tended to raise this country to its mercantile pre-eminence.—I mean that peculiar degree of credit which, by a two-fold operation, at once gives additional facility and extent to the transactions of our merchants at home, and enables them to obtain a proportional superiority in markets abroad. This advantage has been most conspicuous during the latter part of the period to which I have referred; and it is constantly increasing, in proportion to the prosperity which it contributes to create.

"In addition to all this, the exploring and enterprizing spirit of our merchants has been seen in the extension of our navigation and our fisheries, and the acquisition of new markets in different parts of the world; and, undoubtedly, those efforts have been not a little assisted by the additional intercourse with France, in consequence of the commercial treaty; an intercourse, which, though probably checked and abated by the distractions now prevailing in that kingdom, has furnished a great additional incitement to industry and exertion.

"But there is still another cause, even more satisfactory than these, because it is of a still more extensive and permanent nature; that constant accumulation of capital, that continual tendency to increase, the operation of which is universally seen in a greater or less proportion, whenever it is not obstructed by some public calamity, or by some mistaken and mischievous policy, but which must be conspicuous and rapid indeed in any country which has once arrived at an

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advanced state of commercial prosperity. Simple and obvious as this principle is, and felt and observed as it must have been in a greater or less degree, even from the earliest periods, I doubt whether it has ever been fully developed and sufficiently explained, except in the writings of an author of our own times, now unfortunately no more, (I mean the author of a celebrated treatise on the Wealth of Nations) whose extensive knowledge of detail, and depth of philosophical research, will, I believe, furnish the best solution to every question connected with the history of commerce, or with the systems of political economy. This accumulation of capital arises from the continual application of a part, at least, of the profit obtained in each year, to increase the total amount of capital, to be employed in a similar manner, and with continued profit in the year following. The great mass of the property of the nation is thus constantly increasing at compound interest; the progress of which, in any considerable period, is what, at first view, would appear incredible. Great as have been the effects of this cause already, they must be greater in future; for its powers are augmented in proportion as they are exerted. It acts with a velocity, continually accelerated, with a force continually increased.

Mobilitate viget, viresque acquirit eundo.

It may, indeed, as we have ourselves experienced, be checked or retarded by particular circumstances—it may for a time be interrupted, or even overpowered; but, where there is a fund of productive labor and active industry, it can never be totally extinguished. In the season of the severest

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calamity and distress, its operations will still counteract and diminish their effects; in the first returning interval of prosperity, it will be active to repair them. If we look to a period like the present, of continued tranquillity, the difficulty will be to imagine limits to its operation. None can be found, while there exists at home any one object of skill or industry short of its utmost possible perfection; one spot of ground in the country capable of higher cultivation and improvement; or while there remains abroad any new market that can be explored, or any existing market than can be extended. From the intercourse of commerce, it will in some measure participate in the growth of other nations, in all the possible varieties of their situations. The rude wants of countries emerging from barbarism, and the artificial and increasing demands of luxury and refinement, will equally open new sources of treasure, and new fields of exertion in every state of society, and in the remotest quarters of the globe. It is this principle, which, I believe, according to the uniform result of history and experience, maintains on the whole, in spite of the vicissitudes of fortune, and the disasters of empires, a continued course of successive improvement in the general order of the world.

"Such are the circumstances which appear to me to have contributed most immediately to our present prosperity. But these are again connected with others yet more important.

"They are obviously and necessarily connected with the duration of peace, the continuance of which, on a secure and permanent footing, must ever be the first object of the foreign policy of this country. They are connected still more with its

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internal tranquillity, and with the natural effects of a free, but well regulated, government. What is it which has produced in the last hundred years, so rapid an advance, beyond what can be traced in any other period of our history? What but that, during that time, under the mild and just government of the illustrious princes of the family now on the throne, a general calm has prevailed through the country, beyond what was ever before experienced; and we have also enjoyed, in greater purity and perfection, the benefit of those original principles of our constitution, which were ascertained and established by the memorable events that closed the century preceding? This is the great and governing cause, the operation of which has given scope to all the other circumstances which I have enumerated.

"It is this union of liberty with law, which, by raising a barrier equally firm against the encroachments of power, and the violence of popular commotion, affords to property its just security, produces the exertion of genius and labor, the extent and solidity of credit, the circulation and increase of capital, which forms and upholds the national character, and sets in motion all the springs which actuate the great mass of the community through all its various descriptions.

"The laborious industry of those useful and extensive classes (who will, I trust, be in a peculiar degree this day the object of the consideration of the house) the peasantry and yeomanry of the country; the skill and ingenuity of the artificer; the experiments and improvements of the wealthy proprietor of land; the bold speculations and successful adventures of the opulent merchant and enterprising manufacturer; these are all

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to be traced to the same source, and all derive from hence both their encouragement and their reward. On this point, therefore, let us principally fix our attention; let us preserve this first and most essential object, and every other is in our power! Let us remember, that the love of the constitution, though it acts as a sort of natural instinct in the hearts of Englishmen, is strengthened by reason and reflection, and every day confirmed by experience; that it is a constitution which we do not merely admire from traditional reverence, which we do not flatter from prejudice or habit, but which we cherish and value, because we know that it practically secures the tranquillity and welfare both of individuals and of the public, and provides, beyond any other frame of government which has ever existed, for the real and useful ends, which form at once the only true foundation, and only rational object, of all political societies.

"I have now nearly closed all the considerations which I think it necessary to offer to the committee. I have endeavored to give a distinct view of the surplus arising on the comparison of the permanent income (computed on the average which I have stated) with what may be expected to be the permanent expenditure in time of peace; and I have also stated the comparison of the supply, and of the ways and means of this particular year. I have pointed out the leading and principal articles of revenue, in which the augmentation has taken place, and the corresponding increase in the trade and manufactures of the country; and finally, I have attempted to trace these effects to their causes, and to explain the principles which appear to account for the striking and favorable change in our general

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situation. From the result of the whole, I trust, I am entitled to conclude, that the scene, which we are now contemplating, is not the transient effect of accident, not the short-lived prosperity of a day, but the genuine and natural result of regular and permanent causes. The season of our severe trial is at an end, and we are at length relieved, not only from the dejection and gloom, which, a few years since, hung over the country, but from the doubt and uncertainty which, even for a considerable time after our prospect had begun to brighten, still mingled with the hopes and expectations of the public. We may yet, indeed, be subject to those fluctuations which often happen in the affairs of a great nation, and which it is impossible to calculate or foresee; but as far as there can be any reliance on human speculations, we have the best ground, from the experience of the past, to look with satisfaction to the present, and with confidence to the future: 'nunc demum redit animus, cum non spem modo ac votum securitas publica, sed ipsius voti fiduciam et robur assumpserit.' This is a state not of hope only, but of attainment; not barely the encouraging prospect of future advantage, but the solid and immediate benefit of present and actual possession.

"On this situation and this prospect, fortunate beyond our most sanguine expectations, let me congratulate you, and the house, and my country! And before I conclude, let me express my earnest wish, my anxious and fervent prayer, that now in this period of our success, for the sake of the present age and of posterity, there may be no intermission in that vigilant attention of parliament to every object connected with the revenue, the resources, and the credit of the state, which has carried us

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through all our difficulties, and led to this rapid and wonderful improvement; that still keeping pace with the exertions of the legislature, the genius and spirit, the loyalty and public virtue of a great and free people, may long deserve and (under the favor of Providence) may ensure the continuance of this unexampled prosperity; and that Great Britain may thus remain for ages, in the possession of these distinguished advantages, under the protection and safeguard of that constitution, to which (as we have been truly told from the throne) they are principally to be ascribed; and which is indeed the great source, and the best security of all that can be dear and valuable to a nation."

Mr. Pitt concluded, by moving his first resolution, for the repeal of the last additional tax upon malt.

Mr. Sheridan noticed the impression made upon the house, by this brilliant and interesting speech; and Mr. Fox paid a high compliment, both to the eloquence of Mr. Pitt, and to the philosophical principles of commerce and political government, upon which he had argued. 'Mr. Pitt, he said, had enumerated the causes of national prosperity, with truth and splendor; he subscribed to his statement most cordially; and if he did not himself go over the same ground, it was because he had nothing to add to what had been already said, nor could he hope to express it better: he begged to be understood, that these observations were applicable to the prosperity of the country, not merely to the prosperity of the revenue.

Mr. Sheridan, however, denied, that the state of the revenue would warrant a repeal of taxes, and promised to move, on a future day, for the appointment of a committee to inquire

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into the real amount of the public income and expenditure*. At present, he contented himself with asserting, that a repeal of taxes would, under any circumstances, be an infringement of the principle of redemption, which required the whole surplus, whether large or small, to be applied to that purpose. He thought also, that the unfunded debt ought to be discharged before any part of the funded debt was liquidated.

Mr. Pitt replied, that the house was not pledged to apply the whole of the surplus of the revenue, whatever it might be, to the redemption of the national debt; nor had he ever declared or entertained any intention of recommending a measure of that sort. He persevered in affirming, that even upon the disadvantageous principle of taking the average of the last four years, during which the income of the country had uniformly increased, there was a surplus sufficient to justify the appropriation of the sum he had proposed to the discharge of the national debt, and the repeal of the taxes he had mentioned, which would operate materially to the relief of the people; and, for the proof of that assertion, he appealed to the authentic documents before the house. He had, he said, several reasons for preferring to pay off the funded rather than the unfunded debt, the principal of which was, that by so doing, he should sooner be able to reduce the four per cents, which were then redeemable; and afterwards to pay off as much of the national debt, as would enable him to redeem the

* Mr. Sheridan never performed this promise; from whence we may infer, that he despaired of invalidating any part of Mr. Pitt's statements or conclusions.

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five per cents, which could not be done until 25 millions of the funded debt were actually paid off*.

Mr. Fox candidly admitted, that the reduction of the four per cents would be a most politic and proper measure. According to the calculation he had made, the nation would draw from it an annual benefit of upwards of 260,000 *l.* He wished, that Mr. Pitt had explained more fully his ideas upon that subject. A well-concerted plan should have his support. The rise of the funds, in his judgment, was a great national benefit; for, though it threw obstacles in the way of paying off the national debt, it invigorated every branch of our prosperity. In proportion as the funds were high, money for every object of commercial enterprize, of manufacture, of agricultural improvement, of trade and industry of all kinds, became more easily attainable. It added, therefore, to the capital of the nation; it enlarged the sphere of action; and produced the wealth, which more than counterbalanced the difference which we had to pay in buying up the debts. If, indeed, we considered the amount of our debt, the principal was certainly increased by the rise of the funds. But though the principal was clearly more now than in the year 1786, the annuity paid by the nation was less; and to the annuity he always looked, as the true debt which was our enemy.

All the resolutions, moved by Mr. Pitt, were unanimously agreed to; and all the bills founded upon them, for applying the sum of 400,000 *l.* to the liquidation of the national debt, and for the repeal of the taxes upon malt, female servants, carts and waggons, windows and candles, as proposed by him, passed without any opposition.

* It was under this condition that the 5 per cents were originally established.

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It was Mr. Pitt's intention, in the early part of this year, to propose a reduction of the 4 per cents to 3½ per cents, and I have found among his papers the draft of a bill for that purpose; but, upon farther consideration, he determined to defer the measure to the next session, when he hoped to be able to reduce them to three per cents. This change of plan was very unfortunate; for, in consequence of a series of most extraordinary and unexpected events, it has happened, that from that time to the present, a period of 29 years, the state of the funds has never allowed any reduction to take place in the four per cents, or even in the five per cents, since they have been redeemable.

We have seen, that Mr. Pitt, in his speech of the 17th of February, alluded to a measure he had in contemplation relative to future loans; and in the following month, he introduced a highly important bill upon that subject. In 1786, he had established an adequate sinking fund for the liquidation of the then existing national debt; but he was apprehensive, that in case of a new war, of considerable length, and consequently producing large annual additions to the public debt, the sinking fund might not operate with sufficient effect to prevent national bankruptcy. This tremendous calamity the country had narrowly escaped at the end of the late war; and it was Mr. Pitt's object to guard, as far as human foresight could reach, against a recurrence of that danger. With this view he now proposed, that, whenever a loan should be hereafter made, one per cent upon the new stock thus created, besides the dividends, should be raised and applied by the commissioners for the reduction of the national debt, in the

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same manner, and under the same regulations, as the original million. By this provision every loan would be accompanied by its own sinking fund, which would operate at compound interest, and discharge the debt in 47 years, from the time it was incurred, at the longest; that is, supposing a three per cent fund paid off at par, and in every other case, in a shorter period *.

The bill for this purpose passed the house of commons, without any serious difficulty; but in the house of lords, the principal clause was, to the astonishment of every one, violently reprobated by the lord chancellor (lord Thurlow) in the committee on the 14th of May, although he had not previously given the slightest intimation, either in public or private, of his disapprobation of the bill. He said, that such a provision would answer no good purpose, while it exhibited a degree of presumption and arrogance in dictating to future parliaments, which, he trusted, their lordships would never countenance. He ridiculed the idea of prescribing to ministers, the precise mode in which they were to act twenty or thirty years hence; and represented it as idle to suppose, that they would follow the directions of the present parliament—"none but a novice, a sycophant, a mere reptile of a minister, would allow this act to prevent him from doing, what, in his own judgment, circumstances might require at the time; and

* It is scarcely possible that the whole of any debt should be paid off at par, because the stock, when created, is always under par, and the one per cent is applied immediately. No purchase in the 3 per cents has been made at par since the passing of this bill, or even since the establishment of the sinking fund in 1786.

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CHAP. XIV. 1792. a change in the situation of the country may render that, which is proper at one time, inapplicable at another. In short, the scheme is nugatory and impracticable—the inaptness of the project is equal to the vanity of the attempt." This opposition not being expected, the clause was carried by a majority of only 6, the numbers being 28 and 22. The bill, however, passed without any other division.

The history of the world would scarcely supply an instance of a political measure more truly characteristic of a great and provident mind, than that which has been now described; and it is the more to be admired, as Mr. Pitt, at the moment he proposed it, declared his decided opinion, that the state of Europe promised a long continuance of peace to England. Such a season of settled tranquillity he wisely thought the fittest time for guarding against the most formidable of all the evils of war; and that to which this country would have been peculiarly liable, in case of a sudden rupture with any foreign power.

This bill may be considered as extending the principle of the bill of 1786, which it resembled in its simplicity, and in the ease and certainty with which it might be carried into execution. Notwithstanding lord Thurlow's prediction, it has in fact been invariably adhered to in all the numerous and heavy loans, and under the greatest pressure of pecuniary embarrassment, during the whole of the revolutionary war. These two bills together form a complete practical system for the extinction of national debts, both present and future; and have enabled us to support an accumulation of burdens, unexampled in any other country, ancient or modern. To their joint

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operation we owe the means of bringing the protracted and formidable struggle, in which we have been lately engaged, to so glorious a termination—to them we are indebted for our very existence as an independent kingdom. Nor is this all; our resources, thus upholden and protected, have afforded assistance to other nations, and essentially contributed to save them also from ruin and slavery;—but it would be impossible to point out all the beneficial consequences of this system of finance, without anticipating the events of a subsequent period.

It has been observed, that, in the debates of the last session, Mr. Pitt did not feel himself at liberty to state the particular points, which had induced his majesty's ministers to advise an augmentation of the naval force of the kingdom; but the negotiations at Petersburgh being now brought to a conclusion, he presented to the house such documents, as he thought sufficient to convey a complete knowledge of the whole transaction. The members of opposition, however, aware that Mr. Pitt had not, on this occasion, been favored with that general approbation, either of the people or of parliament, which had attended most of the measures of his administration, determined to bring the subject again under the discussion of the house of commons; and, if possible, to obtain a vote of censure upon his conduct. As a preparatory step, Mr. Grey complained, that the papers laid upon the table, did not contain all the information which the house had a right to expect, and that Mr. Pitt had kept back such parts of the correspondence as would tend to criminate himself: he therefore moved five several addresses to the king, requesting that his majesty

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would be pleased to communicate to the house, copies of the whole correspondence, of every description, in which this country had been engaged, with Russia, the Porte, Prussia, Spain, and Denmark, relative to the termination of the war between the two first of those powers.

Mr. Pitt objected to the farther production of papers, upon the same principle on which he had resisted a similar motion in the case of the Spanish armament; contending, that the papers, already upon the table, would enable the house to form a judgement upon the conduct of administration. It fully appeared from them, he said, what it was that the empress had originally demanded, what it was that the British government endeavored to secure, and what were in fact the terms of pacification ultimately agreed upon. Better terms, he affirmed, might have been obtained, had it not been for certain circumstances of notoriety, hostile to the political interests of the country, and which might perhaps give rise to a more serious discussion at another time. He did not profess to communicate to the house, the whole of the negotiation—such a communication would be highly improper. Every thing which ought to be disclosed, was disclosed; and those parts only were reserved, which could not, in justice to foreign kingdoms, be revealed, or which, if known, would endanger the situation of our public alliances. A compliance with the present motions, would be fatal to all attempts to carry on any negotiation with other states in future. He maintained, that the refusal of unnecessary papers was perfectly consistent with the principles of our constitution; and that, without a reasonable share of confidence in ministers, the functions of executive government

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could not be discharged, or the relations of continental connexions be supported with advantage to the country. The first motion was rejected by a majority of 235 to 120, and the others were negatived without a division.

On the 29th of February, Mr. Whitbread brought forward three motions, the first of which asserted, that Oczakow and its district were not of sufficient importance to justify any hostile interference on the part of Great Britain between Russia and the Porte; the second, that this interference had been wholly unsuccessful; and the third, that his majesty's ministers, in endeavoring to compel the empress of Russia to abandon her claim to Oczakow and its district, had been guilty of gross misconduct. These motions gave rise to a debate, which lasted, by adjournment, two days, on the latter of which Mr. Fox exerted all the force of his great talents to persuade the house to accede to the proposed censure of administration.

Mr. Pitt, after paying a just compliment to the splendid eloquence of Mr. Fox, observed, that his speech had been directed to the passions and imaginations of his hearers, rather than to their judgement; and therefore he desired to submit to the house, a plain and simple statement of the grounds upon which he had acted respecting the Russian armament. The measure, he said, was founded upon the principle of preserving the balance of power in Europe, a principle so obviously wise and necessary, that the gentlemen on the opposite side could not but admit it in theory, although they denied it in practice. He was fully convinced, that the interest and honor of this country required the most vigilant attention to the political situation of the continental powers, lest the predominance of

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any one should destroy that equipoise, which was allowed to be essential to the safety of the whole. From the time of William the third to the present period, the Ottomans had always been considered as powerful allies and formidable enemies; and it was evident, that the ruin or depression of the Turkish empire must materially affect the balance of power. This was a doctrine strenuously maintained by Montesquieu, and all the best political writers. It was well known, that the object of the Russians had long been to acquire exclusive sovereignty in the Black Sea; and were they entirely to expel the Turks from thence, by gaining possession of all its ports, and of the whole of the surrounding country, a new naval power would arise, dangerous to all Europe, and particularly to Great Britain, whose safety and prosperity depended upon the superiority of her fleets. It was surely, therefore, of importance to endeavor to check the rapid progress of the empress against the Porte, and to induce her to desist from her schemes of dismembering the Turkish dominions. He acknowledged, that Oczakow was, as to its population and its commerce, of no great consequence; but as a fortress commanding the navigation of the Niester, and as a point to be gained by the empress in her system of ambition, it was of considerable value. It was an object of a certain degree of importance; it was worth some risques, but not all; and he conceived, that he had equally done his duty in first attempting to secure this object to Turkey; and in afterwards advising the relinquishment of it, when it became manifest, that it could only be obtained at too high a price. It might, however, have been secured by the means which were used, had it not

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been for the division and opposition excited in this kingdom, and for the other proceeding to which he had on a former occasion alluded. Mr. Fox might therefore triumph in his success, but it was a triumph over the friends and the counsels of his country.

The first motion was negatived, and the second diposed of by means of the previous question, both without a division. The third was rejected by a majority of 244 to 116.

The transaction referred to by Mr. Pitt in this and in the former debate, respecting the negotiations at Petersburgh, was never made the subject of formal inquiry, or of actual discussion in parliament; but it was of so remarkable a nature, and shews so strongly to what length Mr. Fox carried his party principles, that I shall transcribe Mr. Burke's account of it, the accuracy of which I find attested by authentic documents among Mr. Pitt's papers. It is to be presumed, that Mr. Fox would never have had recourse to such a measure, if he had not entertained a confident hope, that, having already succeeded in rendering the Russian armament unpopular, he should overset Mr. Pitt's administration, provided the empress could be prevailed upon to persevere in her demand: that point he accomplished without any difficulty, but the consequence did not prove what he expected; he defeated Mr Pitt's plan, without gaining the main object he had himself in view; he brought a certain degree of discredit and danger upon his country, by effecting the aggrandizement of an unfriendly and powerful court, while his own personal ambition remained ungratified.

The following is the first of Mr. Burke's "observations on the conduct of the minority," published in 1793:—"The laws

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and constitution of the kingdom intrust the sole and exclusive right, of treating with foreign potentates, to the king. This is an undisputed part of the legal prerogative of the crown. However, notwithstanding this, Mr. Fox, without the knowledge or participation of any one person in the house of commons, with whom he was bound by every party principle, in matters of delicacy and importance, confidentially to communicate, thought proper to send Mr. Adair, as his representative, and with his cypher, to St. Petersburgh, there to frustrate the objects for which the minister from the crown was authorized to treat. He succeeded in this design, and did actually frustrate the king's minister in some of the objects of his negotiation.

"This proceeding of Mr. Fox does not, as I conceive, amount to absolute high treason, Russia, though on bad terms, not having been then declaredly at war with this kingdom. But such a proceeding is, in law, not very remote from that offence, and is undoubtedly a most unconstitutional act, and an high treasonable misdemeanor.

"The legitimate and true mode of communication between this nation and foreign powers, is rendered uncertain, precarious, and treacherous, by being divided into two channels, one with the government, one with the head of a party in opposition to that government; by which means the foreign powers can never be assured of the real authority or validity of any public transaction whatsoever.

"On the other hand, the advantage taken of the discontent, which at that time prevailed in parliament and in the nation, to give to an individual an influence directly against the government of his country, in a foreign court, has made a high-

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way into England, for the intrigues of foreign courts in our affairs. This is a sore evil; an evil, from which, before this time, England was more free than any other nation. Nothing can preserve us from that evil, which connects cabinet factions abroad with popular factions here, but the keeping sacred the crown, as the only channel of communication with every other nation.

"This proceeding of Mr. Fox has given a strong countenance and an encouraging example to the doctrines and practices of the revolution and constitutional societies, and of other mischievous societies of that description, who, without any legal authority, and even without any corporate capacity, are in the habit of proposing, and, to the best of their power, of forming leagues and alliances with France.

"This proceeding, which ought to be reprobated on all the general principles of government, is, in a more narrow view of things, not less reprehensible. It tends to the prejudice of the whole of the duke of Portland's late party, by discrediting the principles upon which they supported Mr. Fox in the Russian business, as if they of that party also had proceeded in their parliamentary opposition, on the same mischievous principles, which actuated Mr. Fox in sending Mr. Adair on his embassy."

I am not aware that any attempt was ever made by Mr. Fox or his friends, to controvert these facts, or to invalidate this reasoning *.

* This transaction was well known in Turkey. I was assured by a friend, who travelled soon afterwards in that country, that he heard it frequently mentioned; and great surprize was expressed, that Mr. Fox had not lost his head for such conduct.

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THE great prevalence of thefts and crimes of every description, the difficulty of bringing offenders to punishment, and the flagrant abuse of justice by persons known by the name of trading justices*, in the metropolis, had long been the subject of complaint, and a bill was introduced this session, under the sanction of government, for the purpose of preventing these evils in future, by means of a new system of police in the capital, and its vicinity. This bill empowered his majesty to establish seven public offices, in specified situations, for the administration of justice, and to appoint three magistrates to each of them, who were to attend at certain hours every day, and to have stated salaries, without any other emolument whatever. The legal fees taken, and penalties levied, at these offices, were to be paid into the hands of a receiver, and by him into the exchequer, there to constitute a fund for the payment of the salaries of the magistrates, and defraying the expences of the offices; and if they did not amount to a sufficient sum for those purposes, the deficiency was to be supplied out of the consolidated fund. The magistrates of these offices were to be incapable of sitting in parliament, and of voting or interfering at any election for the counties of Middlesex and Surry, or for Westminster or Southwark. They were authorized to employ a limited number of constables, who should have power to apprehend suspected persons and reputed

* The great increase of the metropolis, and the more than proportional increase of vice, had rendered the duty of a magistrate so irksome and oppressive, that scarcely any respectable persons would undertake the office, and act gratuitously in the immediate neighborhood of London, as in other parts of the kingdom.

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thieves, whom the magistrates might afterwards commit as rogues and vagabonds: but persons so apprehended, if they should think themselves aggrieved by the judgment of the magistrates, might appeal to the next quarter sessions, giving bail for their appearance. The proposed number of offices would, it was hoped, render it easy for a person in any part of the town, in case of loss or injury, to resort to an intelligent, upright, and disinterested magistrate, for redress; whereas at present many small offences were suffered to go unpunished, on account of the inconvenient distance of Bow-street, the only public office in the metropolis; or from a reluctance to apply to an ordinary magistrate, from whom oppression or extortion, rather than justice, was to be expected; and this impunity not only operated as an encouragement to the commission of petty offences, but by the natural progress of criminal conduct, gradually led to the greatest enormities. The bill was not to extend to the city of London, properly so called, which was still to continue under the jurisdiction of the lord mayor and aldermen; nor was it to prevent other magistrates for the counties of Middlesex and Surry from acting; but it forbade their taking any fees, or levying any penalties.

To this bill two objections were urged; first, that the influence of the crown would be increased by the appointment of the new magistrates with salaries, who might also be made subservient to political purposes. To which it was replied, that the crown in fact appointed the present magistrates, who were paid by the very exceptionable mode of perquisites; and that there was far greater probability, that persons selected for these offices from fitness of character, for which government would

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be responsible, would be respectable and independent, than men who procured their names to be inserted in the commission of the peace, merely for the sake of the fees and emoluments. If a corrupt minister wished to attempt the perversion of justice, where could he find fitter instruments, than those, whose daily practice was the abuse of justice, from mercenary motives? Every possible guard was provided against any political interference in the magistrates, by denying them the right of voting or taking part in any election within their jurisdiction; but should any inconvenience of that or of any other kind arise, from this patronage being vested in the crown, it might be altered hereafter; and with the greater facility, as it was intended that the bill should be only temporary.

The other objection was directed against the clause, which enabled constables to apprehend, and magistrates to punish, "reputed thieves." This expression was represented as too vague and indefinite, and it was stated to be unfit, to punish upon suspicion only. The clause was defended upon the ground of precedent, similar powers having been given by former acts; and no difficulty, it was conceived, could occur in ascertaining reputed thieves, who were in general perfectly well known. Persons apprehended would, before conviction, have an opportunity of disproving the accusation, and of bringing witnesses to their character; and if the magistrate decided improperly, there would be a right of appeal. Those who were best acquainted with the subject, were of opinion, that without this power it would be impossible effectually to check the robberies and assaults, which were then so frequent in the metropolis.

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The bill passed; but being considered as an experiment, it was to remain in force only for four years. It was, however, found so salutary, that it has since been made perpetual; and from the first establishment of this system to the present time, there has not been a single complaint against any of the magistrates, for wilful misconduct or negligence.

In the early part of this session a petition was presented to the house of commons, signed principally by members of the Unitarian society, praying for the repeal of the penal statutes against those who denied the doctrine of the Trinity, which, they said, had not been enforced for a considerable period. Mr. Fox, who was always ready to stand forward in favor of dissenters, undertook the cause of these petitioners; and, in making a motion conformable to the prayer of their petition, observed, that the statutes in question had been thought necessary for former times; but, in his judgment, they had never been necessary, and now there was not a shadow of reason for retaining them. He considered them as a disgrace to the statute book, being inconsistent with the principles of toleration, which were founded in the unalienable rights of man. He contended, that all restraint and all interference with respect to religious opinions, however opposite those opinions might be to the established religion of the country, or however dangerous they might be thought to the public tranquillity, were unjust and indefensible: the legislature had no concern with any thing but actions, and had no right to presume, what would be a man's conduct from the opinions which he held. He censured the church of England as being guilty of perse-

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cution, and as inculcating the doctrines of passive obedience and non-resistance in the extreme.

Mr. Burke contended, that the question before the house was not a theological question, but a question of policy and prudence: and upon those grounds no sufficient reason had been urged for the repeal of these statutes. He differed from Mr. Fox, as to his abstract doctrine of the natural rights of man; and asserted, that religious liberty, like all other rights, must be modified and restrained for the good of society. But, said he, what were the rights of man, previous to his entering into a state of society? Whether they were paramount, or inferior, to social rights, he neither knew nor cared. Man, he had found in society; and that man he looked to. He knew nothing of any other man; nor could he argue on any of his rights.

As to the unitarians, they were the enemies, the avowed enemies of the church. They had declared their determination to propagate their doctrines—they had incorporated themselves into a society for that very purpose—they had published pamphlets with that view—they had raised a large fund to be employed in that service—they had entered into a solemn compact to obtain that end—they had moreover proclaimed their approbation of the most abominable proceedings in France, and had, as it were, recommended them for imitation in England. They were also connected with the Jacobin club at Paris, whose tenets they had adopted in their fullest extent. In proof of these assertions, he read extracts from the publications of this society, and from the authentic records of what had passed at their meetings; and then he desired the house to judge,

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whether men with such determinations, views, and principles, were fit objects of the favor and indulgence of the British legislature.

Mr. Pitt assured the house, that if there existed any laws against general toleration, he should be ready to vote for their repeal, provided it could take place consistently with the safety of the constitution; but he desired it to be understood, that his system of toleration would always be regulated by existing circumstances, and by the character of the times to which it was applied. No practical evil had ever happened from the statutes in question, or was likely to happen; and danger might arise from their repeal. Hitherto it had been always thought wise to observe extreme caution in all matters of religion, and particularly to do nothing which looked like an attack upon the established faith of the country, a policy which ought never to be departed from. He saw no propriety in the house giving encouragement to a society professing principles subversive of every established religion, and of every established government; and were these statutes to be repealed, it might be inferred, that the house was indifferent to the established church, for whose protection they were originally enacted, and upon whose enemies they still operated as some restraint; it being by no means true, that laws were useless, and ought to be repealed, because no occasion had lately arisen for putting them in force. The repeal of these statutes might also be considered by the public, as the first step towards a gradual removal of all those barriers, which our ancestors had erected for the safety of our civil and ecclesiastical constitution; and as indicating a disposition in the house, to favor that prevalent

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spirit of innovation, which had so justly excited serious alarm. As therefore no reason had been assigned for the repeal of these statutes, grounded upon any past inconvenience actually experienced, or the hope of any future positive good, he should vote against the motion. The motion was rejected by a majority of 142 to 63.

In the spring of this year an association was formed, under the denomination of "The Friends of the People," consisting of 100 persons, 28 of whom were the most active members of the house of commons in opposition to the present government, with the exception of Mr. Fox*, who did not belong to this association; and, of the whole number, there was scarcely one who had not avowed himself an admirer of the French revolution†. They immediately published a short declaration, signed by all the members; and also an address, of considerable length, to the people of Great Britain, signed only by Mr. Grey, the chairman. In the former they set forth, that their object was, to obtain a parliamentary reform, by means of a more equal representation of the people, and by a more frequent exercise of the right of electing their representatives; and in the latter, they explained their design more fully, and invited such, as agreed to their principles, to join the association.

* This association was certainly formed without any communication with Mr. Fox; and it was generally believed, that he really disapproved it, although he defended it in the house of commons. It was observed, that when the list first appeared, it did not contain any of his old and most intimate personal friends. Mr. Grey, Mr. Sheridan, and Lord Lauderdale, were considered the founders of this association.

† In the original list of the Friends of the People, was to be found at least one-fourth of the corresponding committee of the Revolution Society.

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In consequence of a resolution, entered into at a meeting of this association, Mr. Grey, on the 30th of April, gave notice to the house of commons, that, in the course of the next session, he should submit to their consideration a motion, relative to the representation of the people in that house. He observed, that the necessity of a parliamentary reform had been admitted by eminent men in both houses, and particularly by the late lord Chatham, Mr. Pitt, and Mr. Fox; but, from the influence of different interests, every attempt to accomplish this purpose had hitherto proved unsuccessful. He was convinced, that since the subject had been last discussed, a considerable change had taken place in the minds of the people, and that a reform was now very generally desired. Abuses had been permitted to creep into the constitution, through neglect, or had been introduced into it by corruption; and these abuses were now become of a nature so dangerous, that they threatened the very existence of the constitution itself, and, in his opinion, could be corrected only by a timely and temperate reform. He trusted, therefore, that between the present day, and that on which he should bring forward the proposition, gentlemen would well weigh the question; and he likewise hoped, that in the mean time the sentiments of the people would be more fully ascertained.

Mr. Pitt rose immediately, and said, he believed it was not strictly regular to enter into any observations upon a mere notice of a motion; and, therefore, he was under the correction of the chair, whether he should articulate a syllable.

Go on! go on! was echoed and re-echoed from all the different parts of the house. He then proceeded:—"If ever

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there was an occasion, on which the mind of every man, who had any feeling for the present, or hope for the future, happiness of this country, should be interested, the present is the time for its exertion. The present is the time, in which the whole house should lose sight of form in the regulation of debate, and apply at once to the substance of the subject which has been mentioned. Nothing can be said, nothing can be whispered upon this subject, at this time, which does not involve questions, of the most extensive, the most serious, the most lasting importance to the people of this kingdom—to the very being of the state. I have other motives, I confess, besides the general importance of the subject, to say a few words now upon it. It is a question, upon which I have thought attentively. I am unwilling to weary the house with many observations upon my own conduct, or upon what seems not exactly to correspond with what I professed in the earliest part of my public character, because I am convinced, that the question to be brought forward, will involve something more than the character, the fortune, the connexion, the liberty, or the life of any individual. It may affect the peace and tranquillity which, under the favor of Providence, this country has long enjoyed, in a superior degree, perhaps, to any part of the habitable globe. It may affect us, who, from the time of general darkness and bondage, to the present hour, have sat quietly, perceiving other powers struggling with tyranny and oppression, while we enjoyed our freedom; it may bring us into anarchy and confusion, worse, if possible, than if we had to contend with despotism itself.

"I think, that the country should know, what the opinions

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of public men are, upon the subject now before us, and how they feel at this moment. I confess they have a peculiar right to know from me, my opinion relative to parliamentary reform. I could have wished, that a subject of this immense importance had been brought forward at a time, when I was personally more able to take an active part in a debate than at present*, but above all on a day, on which the house had no other matter to attend to. I wish, also, the honorable gentleman would bring it forward in some distinct proposition stated to the house, that they might, early in the next session of parliament, take the whole question into consideration; in which case, I should, perhaps, have reserved myself until the day appointed, for the consideration of the subject; but as this is a general notice, without any specific proposition, I must say, I feel no difficulty in declaring, in the most decisive terms, that I object both to the time and to the mode, in which this business is brought forward. I feel this subject so deeply, that I must speak upon it without any reserve. I will therefore confess, that, in one respect, my opinion upon this subject is changed, and I am not ashamed to own it. I retain my opinion of the propriety of a reform in parliament, if it could be obtained without mischief or danger, by a general concurrence, pointing harmlessly at its object. But, I confess, I am afraid at this moment, that if agreed to by this house, the security of all the blessings we enjoy, will be shaken to the foundation. I confess I am not sanguine enough to hope, that a reform at this time can safely be attempted. My object always has been, and now is most particularly so, to give permanence to that which we

* Mr. Pitt was very unwell at this time.

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actually enjoy, rather than to remove any actually subsisting grievances. I conceive that the only security for the continuance of the beautiful system of our constitution, is in the house of commons; but I am sorry to confess, that this security is imperfect, while there are persons who think, that the people are inadequately represented in the degree now asserted. It is essential to the happiness of the people, that they should be convinced, that they and the members of this house feel an identity of interests; that the nation at large, and the representatives of the people, hold a general conformity of sentiment: this is the essence of a proper representative assembly; under this legitimate authority, a people may be said to be really free; and this is a state, in which the true spirit of proper democracy may be said to subsist. This is the only mode by which freedom and due order can be well united. If attempts be made to go beyond this, they will end in a wild state of nature, which mocks the name of liberty, and by which the human character is degraded, instead of being exalted. I once thought, and still think, upon the point of representation of the commons, that if some mode could be adopted, by which the people might have any additional security for a continuance of the blessings which they now enjoy, it would be an improvement in the constitution of this country. That is the extent of my object: farther I never wished to go; and if this could be obtained without the risque of losing what we have, I should think it wise to make the experiment. When I say this, it is not because I believe there is any existing grievance in the country, felt at this hour. On the contrary, I believe, that at this hour we enjoy as much liberty as

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a rational man ought to wish for; and that we are in a state of prosperity and progressive improvement, seldom equalled, never excelled, by any nation at any period in the history of the world.

" I now come to the time and mode of bringing this subject forward. Upon these points every rational man has two things to consider. These are, the probability of success, and the risque to be run by the attempt. Upon the latter consideration, I own that my apprehensions are very great: I fear the evils which may follow the attempt; and, looking at it in both views, I see nothing but discouragement. I see no chance of succeeding in the attempt, in the first place; but, I see great danger of anarchy and confusion in the second. It is true, I have made some attempts upon this subject myself; but at what time? What were the circumstances in which I did so? There was then a general apprehension, which now, thank God, is referred to rather as a matter of history, than any thing else—all fear of danger is entirely removed—but there was then a general feeling, that we were upon the verge of a public national bankruptcy, and a strong sense was entertained of practical grievances: this was at the end of the American war, succeeding a period, when the influence of the crown was declared to have increased, to be increasing, and that it ought to be diminished. Many thought, and I was of the number, that, unless there was a better connection between the parliament and the people, and an uniformity of sentiment between them, the safety of the country was endangered. Many moderate men, however, there were at that time, who admitted there were abuses, which ought to be corrected;

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but who, having weighed the whole state of the case, even as it stood then, were of opinion, that, although some evil was to be met with, yet that, on the whole, the good preponderated; and, therefore, from a fear of possible consequences, they voted against my plan of reformation. If, at such a time, and under such circumstances, moderate men thought in this way, what would they think under the present circumstances? I put it, not only to this house, but also to the country at large; and I would ask all moderate men in it, what are their feelings on this subject at this moment? I believe, that I can anticipate the answer.—'This is not a time to make hazardous experiments.' Can we forget what lessons have been given to the world, within a few years? Can we lament the present situation of this kingdom, when contrasted with that of others? Can we expect that these moderate men will become converts to the new system adopted in another country? If not, there can be no hope of success, and consequently no wisdom in the attempt."

"But it seems that there is a great number of persons in this country, who wish for a reform in parliament, and that they are increasing daily. That their number is great, I am happy enough to doubt: what their interest or their vigor will be, if called upon to exert themselves against the good sense and courage of the sober part of the community, does not occasion me much apprehension. I do not mean to allude to the sentiments of any particular members of this house, for the purpose of reflecting upon them with severity; but when they come in the shape of advertisements in newspapers, inviting the public, as it were, to repair to their standard, and

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to join them, they should be reprobated, and the tendency of their meetings exposed to the people in its true colors. I am willing, as long as I can, to put the best construction upon the actions of gentlemen they will admit of, and to give them credit for their intentions; but the advertisements I allude to in the newspapers, are sanctioned with the name of the honorable gentleman who has given this notice; and therefore I will say, that there ought to be great activity on the part of the real friends of the constitution, who should take pains properly to address the public mind, and to keep it in that state, which is necessary for the preservation of our present tranquillity. I have seen, with concern, that those gentlemen, of whom I speak, members of this house, are associated with others, who not only profess reform, but unequivocally avow revolutionary principles, and applaud and circulate publications of the most pernicious tendency. This circumstance affords suspicion, that the motion for reform is nothing more than the preliminary to the overthrow of the whole system of our present government. If they succeed, they will destroy the best constitution that was ever formed upon the habitable globe. These considerations lead me to wish the house to take great care, that no encouragement be given to any step, which may sap the very foundation of that constitution. When I see these opinions published, and know them to be connected with principles inconsistent with the form of our government—the hereditary succession to the throne—the hereditary titles of our men of rank—and leading to the total destruction of all subordination in the state, I confess I feel no inclination to promise my support to the proposed motion

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for a parliamentary reform. It would be to follow a madness, which has been called liberty in another country—a condition at war with true freedom and good order—a state to which despotism itself is preferable—a state in which liberty cannot exist for a day; if it appears in the morning, it must perish before sun-set.

"I beg leave to assure the house, that I think it my duty, to the last hour of my life, to oppose, to the utmost of my power, all projects of this nature. So much do I disapprove the present attempt, that if I were called to choose, either to hazard this, or for ever abandon all hope or desire to have any reform at all, I should say, that I would have no reform whatever; and I believe, that as a member of parliament, as an Englishman, as an honest man, I discharge my duty in making that declaration at once. I wish the honorable gentleman to reflect seriously on his character, and the stake he possesses in the country; and to consider, how much may be lost by an indiscreet attempt upon this subject.

"I have now made a sort of compendium of the objections I shall submit to the house and the public, if the motion should ever be made; and I have only to add my earnest prayer for the security and preservation of the constitution of this country —a monument of human wisdom, which has hitherto been the exclusive blessing of the English nation."

The speech, of which the above is a very imperfect sketch, was delivered in so impressive a manner, and was so loudly applauded, that Mr. Fox, alluding to the effect it had produced, acknowledged, that he felt additional difficulty in declaring his sentiments, on account of the speech which he had just

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heard; and he was sorry that it had received so much approbation from the house. He was aware, he said, that the subject of parliamentary reform was completely unpopular within those walls; but he believed, that the public regarded it in a very different view. Though he considered himself almost forbidden, by the speech of the right honorable gentleman, to mention what he knew it would not be agreeable to the house to hear, yet he must assert, that unless something were done to quiet the minds of the people, there would be difficulty in preserving the internal tranquillity of the kingdom, for any great length of time. In reply to Mr. Pitt's observations upon the character of several members of the association, he confessed, that some of Mr. Grey's allies were infuriated republicans; but, on the other hand, he maintained, that among Mr. Pitt's friends, there were the slaves of despotism, men, who, without attending to the sentiments of their constituents, as in the case of the Russian armament, placed an implicit confidence in the minister, not merely from the experience of his probity and talents, but because he was minister: both descriptions of persons were equally hostile to rational liberty; but, in his opinion, the former were less dangerous than the latter. He admitted, that Mr. Paine's book, entitled, "The Rights of Man," to which he supposed Mr. Pitt alluded, mocked all ideas of reform in our government, and rather went to a total change of it: it was, indeed, a libel upon the constitution. He considered the old government of France so detestable, as fully to justify the revolution. He said, that his reason for not adding his name to the list of the society, was, that though he saw great and enormous grievances, he

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did not see the remedy; and, had he been consulted, he should not have advised the step which had been taken: still he did not blame Mr. Grey, for the notice he had given; nor did he consider the present period improper for the discussion. As great reforms had taken place in other countries, in France, in Poland, and in America; and, as philosophy was spreading her light round every part of the world, he hoped that England alone would not remain without improvement, enveloped in the darkness of bigotry.

Mr. Burke said, that old as he was, and having lost the friendship of those with whom he had long acted with the most fervent and mutual sincerity, there were few subjects, which would have induced him to come down and deliver his opinion in that house; but the present was an occasion, on which he thought it his duty not to be silent. He admitted, that the motives of those, who were determined to bring forward the question of parliamentary reform, might be pure and patriotic; but still he must contend, that the notice which had been given, was founded upon an erroneous system, and fraught with the most mischievous consequences. No particular grievance had been stated, nor any specific remedy pointed out. Such a mode of proceeding was telling the people, that they were unhappy; that they ought to be discontented and to complain, although they were not sensible, that there was any just ground of complaint; it was a species of political quackery; an endeavor to create the persuasion of a disease, in order to administer a favorite panacea. No petition had been presented by the people, stating any grievance, and praying for a reform of parliament as its remedy—was it then good and

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constitutional doctrine, to hold out to them, that the house of commons was itself a grievance, that there was in its formation something intrinsically corrupt? He asserted, that neither in 1782, nor at present, did the people call for a parliamentary reform; and would those who were about to agitate the question in that house, pledge their characters and their consequence in the country, that if they should raise a strong spirit of reform and innovation, they would be able to guide the public opinion, and prevent all excesses? It was to be learnt from history, it should be recollected, that the beginners of any reformation seldom saw its termination, which was a strong reason against countenancing any indefinite reform, to the extent and consequence of which it was impossible to fix any boundary or limit. It was true, as had been stated, that many improvements had taken place from time to time; but these were uniformly found to be rather in defence of the real constitution than innovations. It was likewise true, that we had, at different times, cut off certain branches of the prerogative, when they were felt to be inimical to the welfare of the people; but we had always kept the lamp of the constitution burning, and only supplied it occasionally with necessary assistance, without ever attempting to alter its former nature. We had seen a reformation, a revolution, an abdication of the throne, and a change in the line of succession—but never, till lately, had there been any attempt to re-model the representation of the people. In aiming at that object, several members of that house had joined themselves with some of the worst men in the kingdom; and how could it be expected, that such men would be satisfied with a moderate and temperate reform?

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He observed, that Mr. Fox had very justly termed Paine's book, a libel upon the constitution; and, therefore, those clubs and societies, which recommended that book to be read by the people, were enemies to the constitution. He declared his fixed admiration of that constitution, which gave us freedom without losing order, and, by increasing order, increased our liberty; and which, he hoped and trusted, would continue unshaken and secure against every attack. Theories ought to be founded upon experience; and instead of adapting our constitution to a theory, theories should grow out of the constitution. He concluded, by calling upon the house to consider, whether they knew of any existing grievance, which would warrant the risque, that must unavoidably attend the proposed motion for a parliamentary reform?

Although the speaker had reminded the house, that there was no question before them, the importance of the subject superseded all regard to form, and the debate was continued to a late hour. Several members of great weight and respectability, who had constantly opposed Mr. Pitt, and acted with Mr. Grey, expressed their strong disapprobation of the intended motion; and earnestly deprecated the discussion, under the present circumstances of the country. As a proof of the general impression made upon the house, by the speeches of Mr. Pitt and others on the same side, it may be remarked, that five* of the twenty-eight members availed themselves of the first opportunity to withdraw their names from the society.

It was almost universally believed, that this association,

* Lord John Russell, (the present duke of Bedford) Mr. Baker, Mr. Curwen, Mr. Dudley North, and Mr. Courtenay.

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professedly formed for the purpose of bringing forward the question of parliamentary reform, was really designed to embarrass and discredit Mr. Pitt. His political adversaries thought, that he would feel no small difficulty with respect to the part he should take; and in either case, they hoped, that he would suffer in the public estimation. If he should support the motion originating from such a quarter, he would be considered as countenancing those societies, and favoring those opinions, which he had been studious to represent as highly dangerous; and if he should resist it, he would lay himself open to the imputation of acting in direct opposition to his former sentiments and conduct. The manly and decided terms, however, in which he at once declared himself adverse to the measure, shewed, that he had no hesitation as to the line which it was his duty to pursue; and the difference between the present situation of the country, and that under which he had himself proposed a reform in parliament, was so material and so striking, that all endeavor to fix upon him the charge of inconsistency totally failed. It was obvious, that a proposition, which was to affect an important branch of the government, might at one time be safe and expedient, and at another hazardous and mischievous. It was indeed true, that in 1784 Mr. Pitt promised, "at all times, and in all situations, to promote a temperate and moderate reform, temperately and moderately pursued;" but this was a description, to which the reform, now in contemplation, was known by no means to answer. This attempt, therefore, to injure, like many others of a similar nature, served only to raise the character of Mr. Pitt, by affording an additional proof, that his public conduct was invariably regu-

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lated by the soundest judgment according to existing circumstances, and by an exclusive regard to the welfare of his country, and the preservation of its invaluable constitution. His acute and discerning mind, under the steady guidance of these principles, enabled him to repel every attack, open or insidious, and to rise out of every difficulty, whether designedly caused by his opponents, or proceeding from events in which they had no concern, with increased reputation.

THE industry with which writings of a seditious and mischievous tendency were at this time circulated throughout the kingdom, was mentioned in the debate upon the notice given by Mr. Grey, as having chiefly produced that unquiet state of the public mind, which rendered the proposed motion so highly objectionable. Pamphlets, handbills, advertisements, paragraphs, essays, in short all the various arts of the press, under every form and in every shape, were employed to spread disaffection and discontent, and to loosen the bonds of civil society. All kings were represented as tyrants, their ministers as venal and corrupt, and their subjects as slaves; the rich were described as universally the oppressors of the poor; and as a plain inference from these doctrines, the lower ranks were called upon to shake off the yoke, under which they had hitherto groaned, and to assert their natural and unalienable rights, of which they had been so unjustly deprived. Nor were these merely sudden and detached effusions, springing from the zeal of unconnected individuals; they were planned and combined upon system; and to keep them more surely directed to one point, a new institution was formed

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early in this year, under the denomination of The London Corresponding Society, whose peculiar business it was, with the assistance of agents and subordinate societies in the country, to supply such publications as might be best suited to the different descriptions of persons in their respective neighborhoods. Much expectation was built upon the communications to be made and received through this channel, as it was well known, that the universal domination of the Jacobin club at Paris over the whole extent of France, was obtained and fixed by a similar institution of a corresponding committee.

Nor were the other societies idle. About this time, the revolution society published, with great exultation, and claiming the merit of having been the first to avow their admiration of the French revolution, a work, containing a collection of their proceedings and correspondence, both at home and abroad, from the autumn of 1789 to March 1792*. Although many of the papers had been before printed separately, yet, when seen in one view, and joined with others of a similar character, they made a very serious and deep impression. It appeared from this volume, that so early as November 1789, this society unanimously resolved, that it became the people of England, to establish societies throughout the kingdom upon revolution

* This collection did not contain the whole of the correspondence and proceedings of the society; and it was acknowledged, that great care and considerable time were employed to select what was least unfit to meet the public eye and answer their purpose. The most obnoxious of their papers were withholden; but even with this precaution the book was so universally reprobated by all sober-minded persons, that it was soon suppressed. Some valuable extracts from it, and a general account of its contents are, however, preserved in Rivington's Annual Register for 1792.

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principles, which should maintain a correspondence with each other, and form a grand concentrated union of the true friends of public liberty. The committee, who suggested this resolution, congratulated the society as men, Britons, and citizens of the world, upon the noble spirit of civil and religious liberty, which had, since the last meeting, so conspicuously shone forth on the continent, more especially upon the happy success of the French revolution; and expressed ardent wishes, that the influence of so glorious an example, might be felt by all mankind, until tyranny and despotism should be swept from the face of the globe, and universal liberty and happiness prevail. On the same day, and with the same unanimity, an address of congratulation was voted to the national assembly, in which they noticed, with particular satisfaction, the encouragement, afforded by France, to other nations, to assert the indefeasible rights of mankind, and to introduce a general reformation in the different governments of Europe. In the middle of the following year, they triumphed in the farther progress of the French revolution; and affirmed, that the zeal and unanimity, with which "this sacred cause" had been supported, "seemed like an inspiration from Heaven." They declared, that they considered the correspondence they had maintained with the patriots of France, as highly honorable to themselves and to the British character, and as calculated to produce the happiest effects, by animating the sons of freedom to assert their rights among all the nations of the earth. From the proceedings of the anniversary in 1790, it appeared, that this society had then lately received "the warmest marks of approbation and respect" from the Jacobin societies esta-

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blished in more than twenty of the principal cities and towns in France, together with copies for their instruction, of numerous seditious and revolutionary publications; and that in England, they had been very successful in forming societies in different parts of the kingdom. At the anniversary of 1791, which was attended by nearly 300 "friends to freedom," a long list of societies in France and England was read, with which the committee had corresponded in the course of the preceding year; and in the letters from the French societies, the members of the revolution society were hailed as friends to the revolution of nations, and to the rights of the legitimate sovereigns, the people. In a letter written to France, early in 1792, a hope was expressed, that the period was approaching, when the people in all countries would renounce with abhorrence those prejudices, which had so long contributed to rivet the fetters of slavery; especially that most fatal of all prejudices, the opinion, that a *few* capricious individuals have a right to dispose of the lives and properties of millions of their fellow-men; and in another letter, of nearly the same date, they say, "We triumph in the animating prospect of that happy state of mankind, which your glorious revolution opens to us; and we look forward with transport to that period, when these inestimable blessings, which you have so nobly acquired, shall be diffused throughout the world." An arbitrary and oppressive power in the king, a servile peerage, a rapacious and intolerant clergy, and a corrupt representation, were the specific grievances proposed to be corrected in England, by following the example of "the late glorious and splendid actions in France;" or, in other words, they considered every part of the civil and

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CHAP. XIV. 1792. ecclesiastical establishments in this country, as requiring reform; and the sort of reform to be applied, was that which had been adopted in France, where the king had been reduced to a cypher, without even personal liberty; the titles of the peers had been abolished, their mansions levelled to the ground, their estates plundered, and their families driven into exile, or murdered with inhuman exultation; the possessions of the church had been confiscated, and the clergy deprived of their benefices; commerce, manufactures, and agriculture, had been destroyed; the Jacobin clubs had acquired a complete ascendancy over the national assembly; even the forms of administering justice had ceased, crimes of every description were committed with impunity, and no man's person or property was secure.

Such were the principles, which the revolution and similar societies in London, circulated with incredible industry, by means of affiliated societies in the country, political clubs, and cheap publications, professedly inculcating the doctrine of combining practice with principle. And that nothing might be wanted to poison the minds of the people, and to rouse them to action, numerous emissaries from France were dispersed in most of the populous towns and districts, who, from the experience they had acquired at home, were enabled to afford very important assistance to their friends in this kingdom. Every artifice, which could be applied to the passions, the prejudices, and supposed interests of the common people, which could mislead their understandings, or corrupt their hearts, having been thus practised more than two years, with increasing boldness and activity, a manifest and most

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pernicious change had taken place in the sentiments, dispositions, and conduct of a considerable proportion of the lower ranks of the community.

Mr. Pitt and his colleagues were convinced of the necessity of endeavoring to check the progress of this alarming evil; and accordingly, on the 21st of May, a royal proclamation was issued, in which it was stated, that divers wicked and seditious writings had been industriously dispersed, tending to excite tumult and disorder, by raising groundless jealousies and discontents with respect to the laws and constitution of this realm; and that correspondences had been entered into with persons in foreign parts, with a view to forward these criminal purposes: his majesty, therefore, being resolved, as far as might be in his power, to put a stop to these dangerous practices, warned his subjects to guard against all such attempts, and to discourage all such proceedings, which aimed at the subversion of all regular government, and were inconsistent with the peace and order of society; and he strictly charged all magistrates to make diligent inquiry for discovering the authors and distributors of seditious writings, and to take the most effectual care to suppress and prevent all riots and disturbances: and he farther commanded them, to transmit to the secretary of state, immediate and full information concerning all persons, who might be found offending in these respects; it being his determination to carry into vigorous execution, the laws made for the preservation of public tranquillity.

As soon as Mr. Pitt had decided that this proclamation should be issued, he communicated the substance of it to those members

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of opposition in both houses, who, he had reason to think, participated in the apprehensions of government, relative to the present situation of the country; and at the same time, an intimation was conveyed to them, that it would be very agreeable to Mr. Pitt, if any of them would move an address to the king upon the subject in parliament. They signified their approbation of the measure, and promised to support it; but declined moving the address.

A copy of the proclamation was presented to both houses of parliament; and, on the day appointed for taking it into consideration in the house of commons, the master of the rolls (sir Richard Arden) proposed an address to the king, expressing the warm and grateful sense of the house, for this fresh proof of his majesty's constant solicitude for the welfare and happiness of his people, and of indignation at the attempts made to weaken, in the minds of his subjects, the sentiments of obedience to the laws, and attachment to the constitution, naturally springing from the actual enjoyment of the advantages of legal and well-regulated freedom, under the government of his majesty and his illustrious ancestors: these unexampled blessings afforded peculiar motives to the inhabitants of this kingdom to beware of delusive theories, inconsistent with the relations and duties of all civil society; and rendered it the duty of every good citizen to discourage and counteract every attempt, direct and indirect, against public order and tranquillity. Impressed with these sentiments, and confident that the nation at large must feel with them, that real liberty can only exist under the protection of law, and the authority of efficient and regular government, they pledged themselves to

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support his majesty in the determination he had adopted; and were persuaded, that every exertion necessary to preserve and strengthen the established constitution, would be seconded by the zeal and gratitude of a free and loyal people. CHAP. XIV. 1792.

After Mr. Powys had seconded, and another member had spoken in favor of, the address, Mr. Grey, rising for an opposite purpose, declared that he considered the proclamation as insidiously designed to make a separation between those, who had for many years acted together, and among whom there was known to exist a difference of opinion respecting the present state of the country. The firm union of this party, of which he was himself a member, he represented as essential to the maintenance of the constitution in purity and perfection. After a violent personal attack upon Mr. Pitt, charging him with inconsistency, apostacy, and delusion, (of which the house shewed evident marks of disapprobation,) he proceeded to state his objections to the address. He said, that if there had been any publications of an evil and dangerous tendency, the proposed mode of noticing them was irregular and inefficient; and that his majesty's ministers ought to have prosecuted the authors and publishers of them, the moment they appeared. Presuming that Mr. Thomas Paine's "Rights of Man" were the writings particularly alluded to in the proclamation, he observed, that the first part of that work had been published more than a twelvemonth, without any proceeding against it, which, if the book deserved the character now given of it, must have been a gross and criminal neglect in administration. He represented the calling upon magistrates to make inquiry, in order to discover the authors and publishers of seditious

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writings, as converting that useful and respectable set of men into spies and informers. He complained, that the correspondences, carried on by subjects of this country with foreign societies, were mentioned with a view to cast a reflection upon the association of the Friends of the People, and to accuse them of an intention, by following the example of France, to make a total change in the government of the country. He affirmed, that the proclamation was entirely unnecessary, and that it would produce the effect of exciting unfounded alarms and suspicions in the minds of the people, and of provoking rather than preventing disturbances; as might be concluded from the riots at Birmingham, which were caused by the friends of government, and in which the supposed enemies of the constitution were the only sufferers: in truth, the danger, if any, did not arise from the prevalence of a republican spirit in the country, but from that indisposition and aversion to all reform, which characterised the present times. Upon these grounds, Mr. Grey moved an amendment, conveying a censure upon ministers for not prosecuting the authors of the seditious writings alluded to in the proclamation, and which had been published a considerable time.

Mr. Fox was scarcely less violent against Mr. Pitt, than Mr. Grey had been; and reprobated both the proclamation and address, upon nearly the same grounds.

Mr. Pitt very slightly noticed the personal attacks upon himself; only remarking, that no invective should ever deter him from pursuing that line of conduct, which he deemed most conducive to the public tranquillity, and to the preservation of constitutional freedom. In defence of the measure, under the

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consideration of the house, he said, that great danger was to be apprehended from the seditious writings then in circulation, and from the pernicious doctrines which had been for some time continually gaining ground; and that it was the duty of government to frustrate the designs of those large bodies of men, who not only avowed levelling principles, but called for foreign aid to enable them to attain their end; that his majesty's ministers had taken notice of these proceedings, as soon as it appeared that they were producing an effect sufficient to justify their interference, without unnecessarily infringing the liberty of the press, or violating the constitutional rights of the subjects of this free country. He denied, that the proclamation was designed to promote divisions among his political adversaries. It was, indeed, fully evident, that the members of opposition differed on some points of primary importance; but this want of unanimity redounded highly to their honor. A conviction of the propriety and utility of the proclamation, of its absolute necessity to the maintenance of public order, and to the tranquillity of the state, could be the only motive, which had induced several gentlemen, on the opposite side of the house, to abandon their old friends upon the present occasion—a fair and honorable conduct, affording an irrefragable proof, that, whatever might be their party feelings and prepossessions, they were ready to give up private attachments, and to forget former animosities, when public security and the preservation of the constitution were at stake. Nor was the proclamation, he said, intended to bring discredit upon the society of the Friends of the People: it was directed against those societies only, whose principles and proceedings were

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hostile to the established form of government. Without, however, attributing any improper motives to the members of the new association, he contended, that advantage would be taken of such a society, and of the purpose for which it was instituted, by persons whose designs were really mischievous; and more especially, as parliamentary reform was one of the ostensible objects of all who wished for a revolution in this country. The society, therefore, of the Friends of the People, must expect to be implicated in the charge of disaffection, if they connected themselves with the societies, to which he alluded. The first part of Paine's Rights of Man, was so wild, extravagant, and absurd, that it did not appear calculated to do mischief; and a prosecution by the attorney general, would only have raised it into notice. It would, indeed, probably have soon sunk into oblivion, if it had not been circulated by the unwearied exertions, and at the expence, of clubs and societies: but a prosecution was commenced against the second part of the work, the moment it was discovered that it carried the visionary notions of the author still farther, and was beginning to make an unfavorable impression upon the public mind: the forms, however, of the courts of law, had not yet allowed the trial actually to take place. In reply to the charge of converting magistrates into spies, he said, that the proclamation only reminded them of that part of their duty, which they were at all times bound to perform, and in the discharge of which, present circumstances demanded extraordinary vigilance: and upon that subject, he farther remarked, that it was impossible for the ministers and legal advisers of the crown, to bring offenders to punishment, unless those who were qualified and

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required by their office, gave the necessary information to the proper department of the executive government. He expressed his astonishment at the denial of the existence of a republican spirit in this kingdom, when it was openly avowed, and industriously propagated, both by individuals and societies; and asserted, that Mr. Fox, by the arguments he had that day used, if not the advocate, was certainly the friend, of Mr. Paine and his doctrines: such conduct appeared to him irreconcileable with any spark of patriotism, or regard for the established form of government. It was scarcely to be believed, that any one should seriously maintain, that there was no ground for apprehension and alarm, nor any sufficient cause for the proclamation, when it was known, that numerous clubs, established in the manufacturing towns and districts, had adopted, and were eagerly spreading, opinions, inconsistent with public tranquillity, and which, if not checked in time, might, and would, undermine and overthrow the constitution.

Several opposition members, particularly the marquis of Titchfield, lord North, Mr. Windham, Mr. Anstruther, and Mr. T. Grenville, delivered their sentiments in favor of the address; and the last of those gentlemen said, that writings of a seditious nature had been circulated among the soldiers and sailors. They all acknowledged their conviction, that the doctrines lately propagated, and the conduct pursued, by clubs and societies, as well as by individuals, demanded the utmost attention, and most vigorous interposition of government, and called for the strenuous and combined resistance of all, who were desirous of averting from this country, the evils which had been experienced in France, from similar beginnings.

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Mr. Grey did not venture to divide the house, and his amendment being rejected, the address was agreed to.

The more than usual violence of Mr. Fox and Mr. Grey, and their personal attack upon Mr. Pitt, in this debate, may probably be attributed to the mortification they felt at losing the support of some of the most respectable of their adherents, upon a question, not only material in itself, but involving principles, which, in the present state of public affairs in this country and upon the continent, could not fail to be the subject of future discussion, and of future measures. The obvious danger of an approaching schism in their party, which must necessarily weaken their own cause, and strengthen that of administration, not unnaturally produced an irritation of mind, which burst forth in the bitterest asperity of language.

The address was communicated to the house of lords, and their concurrence to it requested, that it might be presented to his majesty, as the joint address of the two houses. As soon as a motion for that purpose was made and seconded, the prince of Wales rose for the first time, to deliver his sentiments in the house of lords:—He should, he said, be deficient in his duty as a member of parliament, unmindful of that respect he owed to the constitution, and inattentive to the peace and welfare of the country, if he did not state to the world, what was his opinion, upon a subject of such magnitude, as that on which their lordships were then deliberating. He was educated in principles, which taught him to revere the constitutional liberties of the people, on which their happiness depended; and to those principles he was determined, as far as he could have any weight, to give his firm and constant

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support. The matter at issue, in fact, was, whether the constitution was or was not to be maintained; whether the wild ideas of untried theory were to conquer the wholesome maxims of established practice; and whether those laws, under which we had florished for a long series of years, were to be subverted by a pretended reform, unsanctioned by the people. As a person nearly and dearly interested in the welfare, and he should emphatically add, in the happiness and comfort of the people, it would be treason to the principles of his mind, if he did not come forward and declare his disapprobation of those seditious publications, which had occasioned the motion then before the house. His interest was connected with the interest of the people; they were indeed inseparable. On this great, on this solid basis, he grounded the vote which he meant to give; and that vote should unequivocally be, for a concurrence with the commons in their wise and salutary address.

Lord Grenville, alluding to the speech of his royal highness, in the course of the debate, observed, that such a testimony of regard to the constitution, and zeal for the welfare of the people, must warm the breast of every Englishman who heard it; and was the strongest assurance and satisfaction to the people at large, that they might long expect a continuance of that prosperity, and of those essential blessings, which they had enjoyed since the accession of the present illustrious family to the throne of England.

The declaration of these sentiments, by the heir apparent to the throne, had the greater effect, from the well-known circumstance, that the influence of his royal highness had hitherto been exerted against the administration of Mr. Pitt;

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and from the general opinion, that his royal highness was personally attached to several of those, who represented the proclamation as wholly unnecessary.

The address was supported by the duke of Portland, lords Spencer, Kinnoul, Stormont, Porchester, and Rawdon, all of whom were considered as opposition members.

Lord Lauderdale, a leading member of the society of the Friends of the People, moved nearly the same amendment as had been proposed by Mr. Grey, in the house of commons; and it was rejected without a division: lord Lansdown was the only peer who spoke in its favor. The original motion passed.

This reception of the proclamation and address, in the two houses of parliament, was highly gratifying to the friends of public tranquillity, and of the established form of government; and both Mr. Pitt and lord Grenville paid a just tribute of praise to the conduct of those members, who, though not in the habit of agreeing to the measures of the present administration, came forward with their approbation and support on this occasion, in a manner which reflected the greatest honor upon themselves, and deserved the thanks of the country.

THE riots which took place at Birmingham, in the preceding summer, had been several times incidentally mentioned in the course of the present session; and at last Mr. Whitbread announced his intention of making a motion upon the subject. Mr. Dundas deprecated a discussion, which could be productive of no good, and might give rise to fresh disturbances, or

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at least cause new irritation, in the town and neighborhood of Birmingham, where every thing was quiet at present. Mr. Whitbread, however, persisted; and, on the 21st of May, proposed an address to the king, the object of which was, to censure ministers for not prosecuting the magistrates, on account of their conduct during the riots. As Mr. Pitt took no part in the debate upon this motion, it will be sufficient to observe, that it appeared from the speeches of Mr. Dundas, and other members, that the riots were of a political and not of a religious nature, having been occasioned by a persevering determination to commemorate the anniversary of a political event, and Dr. Priestley having taught his religious opinions at Birmingham for eighteen years, without any molestation; that the circumstance of the mischief being confined to the houses and property of dissenters, was owing to persons of that description being the most violent in applauding the French revolution, and decrying the blessings of the British constitution; that the attorney and solicitor general, after the most mature deliberation, had been decidedly of opinion, that the affidavits sent from Birmingham, and other documents laid before them, for the purpose of criminating the magistrates, did not afford sufficient ground for a public prosecution; that both before and after this decision of the law officers of the crown, it was open to the dissenters as a body, or to any individual, to proceed against the magistrates by indictment or information, but that no such process had been instituted, which was a strong presumption in their favor; that no complaint had been made to that house, by any person who considered himself aggrieved by the conduct of the magistrates; and that there was no reason for

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charging any of them with wilful neglect of duty, although it was scarcely to be expected, that, in so long a scene of alarm and confusion, no accidental mistake should have been committed, and no inadvertent expression used; that the magistrates had received the public thanks of some of the most respectable inhabitants of Birmingham; and that the conduct of his majesty's ministers, in their exertions to send troops for the purpose of quelling the riots, and afterwards to discover the rioters and bring them to punishment, was acknowledged, even by the opponents of government, to have been highly laudable and meritorious.

These facts being established to the satisfaction of the house, and evidently exempting both the magistrates and administration from all possibility of blame, Mr. Whitbread was earnestly requested to withdraw his motion, as being imprudent, and likely to do harm; but he refused, and upon a division, the motion was rejected by a majority of more than 4 to 1.

THE repeated discussions, which had taken place in parliament, in former years, relative to the slave trade, together with the printed evidence, which had been very generally circulated, had excited great interest upon the subject throughout the kingdom; and no fewer than 508 petitions, all praying for the abolition of this infamous traffic, were presented to the house of commons in the early part of the present session. On the 2d of April, Mr. Wilberforce, in a committee of the whole house, moved the following resolution:—"That it is the opinion of this committee, that the trade, carried on by British

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subjects, for the purpose of obtaining slaves on the coast of Africa, ought to be abolished." In the course of the debate which followed, Mr. Dundas declared himself convinced of the impolicy and iniquity of the trade, but thought that it would be imprudent, and unjust to the various descriptions of persons interested in the cultivation and produce of the West Indian islands, to abolish it immediately; and, therefore, he proposed, that the word "gradually" should be inserted before the word "abolished," in the motion. This amendment was supported by the Speaker, (Mr. Addington) and several members, who were fearful of the effects of so material a change being suddenly made in the valuable concerns of our colonies; but it was strongly opposed by Mr. Fox and others, who had constantly stood forward as decided advocates for the abolition. Mr. Jenkinson, after admitting the trade to be indefensible, said, that he perfectly agreed with the friends of the abolition in their end, and differed from them only in the means of accomplishing that end. He was desirous of doing, by regulation, what they wished to do by a more direct method. He was of opinion, that by a progressive improvement in the treatment of the slaves, they would become more and more prolific, so that in a short period no importation would be wanted, in which case the trade would cease of itself; and that he might formally bring before the house a plan for that purpose, he moved that the chairman should leave the chair.

After Mr. Estwicke had said a few words in favor of the amendment moved by Mr. Dundas, Mr. Pitt rose, and began by remarking, that the debate of that night had taken a course altogether new. A difference of opinion had indeed been

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stated; but upon principles far removed from those which had been maintained, when the question was discussed in former years. By far the greater number of the persons, who had spoken in the present debate, had thought it their duty to declare their full and entire concurrence with his honorable friend, in promoting the abolition of the slave trade, as their ultimate object. Being agreed upon the abolition itself, the only dispute now was, as to the period of time at which it should take place. "I therefore," continued Mr. Pitt, "congratulate this house, the country, and the world, that this great point is gained, that we may now consider this trade as having received its condemnation; that its sentence is sealed; that this curse of mankind is seen by the house, in its true light; and that the greatest stigma on our national character, which ever yet existed, is about to be removed: And, sir, which is still more important, that mankind, I trust, in general, are now likely to be delivered from the greatest practical evil, that ever has afflicted the human race, from the severest and most extensive calamity recorded in the history of the world."

Mr. Pitt then entered at great length into the effect which the abolition would produce upon the real interest of proprietors of estates in the West Indies, the condition of the negroes, and the tranquillity and safety of the islands; and shewed, that all the arguments drawn from those sources, pleaded much more loudly and strongly for an immediate, than for a gradual, abolition. He also contended, that an act of parliament, operating directly and instantly, would secure the object they all had in view, more effectually, and with less difficulty, than internal regulations in the respective islands, or any other plan which

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could be devised. "Let us then," said he, "begin from this time; let us not commit these important concerns to any farther hazard; let us prosecute this great object from this very hour; let us vote that the abolition of the slave trade shall be immediate, and not left to I know not what future time or contingency."

Having drawn this conclusion from considering in what manner the colonies themselves would be affected by the abolition, he proceeded to another part of the subject, in the following animated strain: "But now, sir, I come to Africa; that is the ground on which I rest; and there it is that I say my right honorable friends do not carry their principles to their full extent. Why ought the slave trade to be abolished? Because it is incurable injustice: surely this is a reason for immediate, rather than gradual, abolition. By allowing the trade to continue even for one hour, do not my right honorable friends weaken, do they not desert, their own argument of its injustice? If on the ground of injustice it ought to be abolished at last, why ought it not now? Why is injustice to be suffered to remain for a single hour? From what I hear without doors, I fear that the general conviction of this injustice has led some men to suppose, that the slave trade would never have been permitted to begin, but from some strong and irresistible necessity, a necessity, however, which, if it was fancied to exist at first, I have shewn cannot be thought by any man whatever to exist now. This plea of necessity, thus presumed, and presumed, as I suspect from the circumstance of injustice itself, has caused a sort of acquiescence in the continuance of this evil. Men have been led to place it in the rank of those

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necessary evils, which are supposed to be the lot of human creatures, and to be permitted to fall upon some countries or individuals, rather than upon others, by that Being, whose ways are inscrutable to us, and whose dispensations, it is conceived, we ought not to look into. The origin of evil is indeed a subject beyond the reach of human understandings; and the permission of it by the Supreme Being, is a subject into which it belongs not to us to inquire. But where the evil in question is a moral evil, which a man can scrutinize, and where that moral evil has its origin within ourselves, let us not imagine, that we can clear our consciences by this general, not to say irreligious, way of laying aside the question. If we reflect at all on this subject, we must see, that every necessary evil supposes that some other and greater evil would be incurred, were it removed: I therefore desire to ask, what can be that greater evil, which can be stated to overbalance the one in question? I know of no evil that ever has existed, nor can I imagine any evil to exist, worse than the tearing seventy or eighty thousand persons annually from their native land, by a combination of the most civilized nations, inhabiting the most enlightened quarter of the globe, but more especially under the sanction of the laws of that nation, which calls herself the most free and most happy of them all. Even if these miserable beings were proved guilty of every crime, before you take them off, of which however not a single proof is adduced, ought we to take upon ourselves the office of executioners? And even if we condescend so far, still can we be justified in taking them, unless we have clear proof that they are criminals.

"But if we go much farther, if we ourselves tempt the

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Africans to sell their fellow-creatures to us, we may rest assured, that they will take care to provide, by every method, by kidnapping, by village-breaking, by unjust wars, by iniquitous condemnations, by rendering their country a scene of bloodshed and misery, a supply of victims increasing in proportion to our demand. Can we then hesitate in deciding, whether the wars in Africa be their wars or our's? It was our arms in the river Cameroon put into the hands of the trader, that furnished him with the means of pushing his trade; and I have no more doubt that they are British arms, put into the hands of Africans, which promote universal war and desolation, than I can doubt their having done so in that individual instance.

"I have shewn how great is the enormity of this evil, even on the supposition that we buy only convicts and prisoners of war. But take the subject in the other way; take it on the grounds stated by the right honorable gentleman opposite to me, and how does it stand? Think of eighty thousand persons carried away out of their country, by we know not what means—for crimes imputed! for light or inconsiderable faults! for debt perhaps! for the crime of witchcraft! or a thousand other weak and scandalous pretexts! besides all the fraud and kidnapping, the villanies and perfidy, by which the slave-trade is supplied! Reflect on these eighty thousand persons, thus annually taken off! There is something in the horror of it, which surpasses all the bounds of imagination. Admitting that there exists in Africa something like to courts of justice; yet, what an office of humiliation and meanness is it in us to take upon ourselves to carry into execution the

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partial, the cruel, the iniquitous sentences of such courts, as if we also were strangers to all religion, and to the first principles of justice.

"But that country, it is said, has been in some degree civilized, and civilized by us. It is said they have gained some knowledge of the principles of justice. What, sir, have they gained principles of justice from us! Their civilization brought about by us? Yes, we give them enough of our intercourse to convey to them the means, and to initiate them in the study, of mutual destruction. We give them just enough of the forms of justice, to enable them to add the pretext of legal trials to their other modes of perpetrating the most atrocious iniquity. We give them just enough of European improvements, to enable them the more effectually to turn Africa into a ravaged wilderness. Some evidences say, that the Africans are addicted to the practice of gambling, that they even sell their wives and children, and ultimately themselves. Are these then the legitimate sources of slavery? Shall we pretend, that we can thus acquire an honest right to exact the labor of these people? Can we pretend that we have a right to carry away to distant regions, men of whom we know nothing by authentic inquiry, and of whom there is every reasonable presumption to think, that those who sell them to us, have no right to do so? But the evil does not stop here. I feel that there is not time for me to make all the remarks, which the subject deserves; and I refrain from attempting to enumerate half the dreadful consequences of this system. Do you think nothing of the ruin and the miseries in which so many other individuals, still remaining in Africa, are involved,

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in consequence of carrying off so many myriads of people? Do you think nothing of their families which are left behind? Of the connexions which are broken? of the friendships, attachments, and relationships, that are burst asunder? Do you think nothing of the miseries in consequence, that are felt from generation to generation? of the privation of that happiness, which might be communicated to them by the introduction of civilization, and of mental and moral improvement? A happiness, which you withhold from them, so long as you permit the slave trade to continue. What do you yet know of the internal state of Africa? You have carried on a trade to that quarter of the globe, from this civilized and enlightened country; but such a trade, that, instead of diffusing either knowledge or wealth, it has been the check to every laudable pursuit. Instead of any fair interchange of commodities, instead of conveying to them from this highly-favored land any means of improvement, you carry with you that noxious plant, by which every thing is withered and blasted; under whose shade nothing that is useful or profitable to Africa will ever flourish or take root. Long as that continent has been known to navigators, the extreme line and boundaries of its coasts are all with which Europe is yet become acquainted; while other countries in the same parallels of latitude, through a happier system of intercourse, have reaped the blessings of a mutually beneficial commerce. But as to the whole interior of that continent, you are, by your own principles of commerce, entirely shut out. Africa is known to you only in its skirts: yet even there you are able to infuse a poison, which spreads its contagious effects from one end of it to the other, which penetrates

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to its very centre, corrupting every part to which it reaches. You there subvert the whole order of nature; you aggravate every natural barbarity, and furnish to every man living on that continent, motives for committing, under the name and pretext of commerce, acts of perpetual violence and perfidy against his neighbor.

"Thus, sir, has the perversion of British commerce carried misery instead of happiness to one whole quarter of the globe. False to the very principles of trade, misguided in our policy, and unmindful of our duty, what astonishing—I had almost said, what irreparable, mischief have we brought upon that continent? I would apply this thought to the present question. How shall we ever repair this mischief? How shall we hope to obtain, if it be possible, forgiveness from Heaven, for those enormous evils we have committed, if we refuse to make use of those means, which the mercy of Providence has still reserved to us, for wiping away the guilt and shame, with which we are now covered? If we refuse even this degree of compensation, if, knowing the miseries we have caused, we refuse even now to put a stop to them, how greatly aggravated will be the guilt of Great Britain! and what a blot will these transactions for ever be in the history of this country! Shall we then delay to repair these injuries, and to begin rendering this justice to Africa? Shall we not count the days and hours, that are suffered to intervene, and to postpone the accomplishment of such a work? Reflect what an immense object is before you—what an object for a nation to have in view, and to have a prospect, under the favor of Providence, of being now permitted to attain. I think the house will agree with me, in

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cherishing an ardent desire to enter without delay upon the measures necessary for these great ends; and I am sure, that the immediate abolition of the slave trade is the first, the principal, the most indispensable act of policy, of duty, and of justice, which the legislature has to take; if it be indeed their wish to secure those important objects to which I have alluded, and which we are bound to pursue by the most solemn obligations.

"There is, however, one argument set up as an universal answer to every thing which can be urged on our side, whether we address ourselves to gentlemen's understandings, or to their hearts and consciences. It is necessary I should remove this formidable objection; for though not often stated in distinct terms, I fear it is one, which has a very wide influence. The slave trade system, it is supposed, has taken such deep root in Africa, that it is absurd to think of its being eradicated; and the abolition of that share of the trade carried on by Great Britain, and especially if her example be not followed by any other power, is likely to be of very little service. Give me leave to say, in answer to so dangerous an argument, that we ought to be extremely sure indeed of the assumption on which it rests, before we venture to rely on its validity; before we decide, that an evil, which we ourselves contribute to inflict, is incurable, and on that very plea refuse to desist from bearing our part in the system which produces it. You do not know, it is said, that other nations will give up the trade, if you should renounce it. I answer, that if this trade is as criminal as it is asserted to be, nay, if it has in it a thousandth part of the criminality, which I and others, after a thorough investigation of

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the subject, charge upon it, God forbid, that we should hesitate in determining to relinquish so iniquitous a traffic, even though it should be retained by other countries. God forbid, however, that we should fail to do our utmost towards inducing other countries to abandon a bloody commerce, which they have been probably led in a great measure by our example to pursue. God forbid, that we should be capable of wishing to arrogate to ourselves the glory of being singular in renouncing it.

"I tremble at the thought of gentlemen's indulging themselves in the argument which I am combating—an argument as pernicious as it is futile. We are friends, say they to humanity—we are second to none of you, in our zeal for the good of Africa—but the French will not abolish—the Dutch will not abolish—we wait, therefore, on prudential principles, till they join us, or set us an example. How, sir, is this enormous evil ever to be eradicated, if every nation is thus prudentially to wait, till the concurrence of all the world should be obtained? Let me remark too, that there is no nation in Europe, which has, on the one hand, plunged so deeply into this guilt as Britain; or which is so likely, on the other, to be looked up to as an example, if she should have the manliness to be the first in decidedly renouncing it. But, sir, does not this argument apply a thousand times more strongly in a contrary way? How much more justly may other nations point to us, and say, "Why should we abolish the slave trade, when Great Britain has not abolished it? Britain, free as she is, just and honorable as she is, and deeply also involved as she is in this commerce, above all nations, not only has not

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abolished, but has refused to abolish—she has investigated it fully—she has gained a complete insight into its nature and effects; she has collected volumes of evidence on every branch of the subject; her senate has deliberated again and again; and what is the result? She has gravely and solemnly determined to sanction the slave trade; she sanctions it at least for a while: her legislature therefore, it is plain, sees no guilt in it, and has thus furnished us with the strongest evidence which she can furnish—of the justice unquestionably—and of the policy also, in a certain measure, and in certain cases at least, of permitting this traffic to continue.

"This, sir, is the argument, with which we furnish the other nations of Europe, if we again refuse to put an end to the slave trade. Instead, therefore, of imagining, that by choosing to presume on their continuing it, we shall have exempted ourselves from guilt, and have transferred the whole criminality to them, let us rather reflect, that on the very principle urged against us, we shall henceforth have to answer for their crimes, as well as for our own. We have strong reasons to believe, that it depends upon us, whether other countries will persist in this bloody trade, or not. Already we have suffered one year to pass away; and now that the question is renewed, a proposition is made for gradual, with the view of preventing immediate, abolition. I know the difficulty that exists in attempting to reform long-established abuses; and I know the danger arising from the argument in favour of delay, in the case of evils, which, nevertheless, are thought too enormous to be borne, when considered as perpetual. But, by proposing some other period than the present, by prescribing some con-

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dition, by waiting for some contingency, or by refusing to proceed till a thousand favorable circumstances unite together, perhaps till we gain the general concurrence of Europe, a concurrence, which, I believe, never yet took place at the commencement of any one improvement in policy or in morals, year after year escapes, and the most enormous evils go unredressed. We see this abundantly exemplified, not only in public, but in private, life. Similar observations have been often applied to the case of personal reformation. If you go into the street, it is a chance but the first person who crosses you is one, "vivendi recte qui prorogat horam." We may wait; we may delay to cross the stream before us, till it has run down; but we shall wait for ever, for the river will still flow on, without being exhausted*. We shall be no nearer to the object, which we profess to have in view, so long as the step, which alone can bring us to it, is not taken Until the actual, the only, remedy is applied, we ought not to flatter ourselves, either that we have as yet thoroughly laid to heart the evil we affect to deplore, or that there is as yet any reasonable assurance of its being brought to an actual termination.

"Having now detained the house so long, all that I will farther add, shall be on that important subject, the civilization of Africa, which I have already mentioned that I consider as the leading feature in this question. Grieved am I to think, that there should be a single person in this country, much more

*Mr. Pitt evidently alluded to those beautiful lines of Horace:

Rusticus expectat dum defluat amnis, at ille
Labitur, et labetur in omne volubilis ævum.

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that there should be a single member in the British parliament, who can look on the present dark, uncultivated, and uncivilized state of that continent, as a ground for continuing the slave trade; as a ground not only for refusing to attempt the improvement of Africa, but even for hindering and intercepting every ray of light, which might otherwise break in upon her; as a ground for refusing to her the common chance and the common means, with which other nations have been blessed, of emerging from their native barbarism.

"Here, as in every other branch of this extensive question, the argument of our adversaries pleads against themselves; for, surely, sir, the present deplorable state of Africa, especially when we reflect that her chief calamities are to be ascribed to us, calls for our generous aid, rather than justifies any despair on our part of her recovery, and still less any farther repetition of the injuries.

"I will not much longer fatigue the attention of the house; but this point has impressed itself so deeply on my mind, that I must trouble the committee with a few additional observations. Are we justified, I ask, on any ground of theory, or by any one instance to be found in the history of the world, from its very beginning to this day, in forming the supposition which I am now combating? Are we justified in supposing, that the particular practice, which we encourage in Africa, of men's selling each other for slaves, is any symptom of barbarism which is incurable? Are we justified in supposing, that even the practice of offering up human sacrifices, proves a total incapacity for civilization? I believe it will be found, and much more generally than is imagined, that both the trade in slaves, and the still more savage custom of offering human

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"There was a time, sir, which it may be fit occasionally to revive in the remembrance of our countrymen, when even human sacrifices are said to have been offered in this island. But I would peculiarly observe on this day, for it is a case precisely in point, that the very practice of the slave trade once prevailed among us. Slaves, as we may read in Henry's History of England, were formerly an established article of our exports. Great numbers, he says, were exported, like cattle, from the British coast, and were to be seen exposed for sale in the Roman market. It does not distinctly appear, by what means they were procured; but there was unquestionably no small resemblance in this particular point, between the case of our ancestors and that of the present wretched natives of Africa; for the historian tells us, that adultery, witchcraft, and debt, were probably some of the chief sources of supplying the Roman market with British slaves; that prisoners taken in war were added to the number; and that there might be among them some unfortunate gamesters, who, after having lost all their goods, at length staked themselves, their wives, and their children. Every one of these sources of slavery has been

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stated, and almost precisely in the same terms, to be at this hour a source of slavery in Africa. And these circumstances, sir, with a solitary instance or two of human sacrifices, furnish the alleged proofs, that Africa labors under a natural incapacity for civilization; that it is enthusiasm and fanaticism to think, that she can ever enjoy the knowledge and the morals of Europe; that Providence never intended her to rise above a state of barbarism; that Providence has irrevocably doomed her to be only a nursery for slaves for us free and civilized Europeans. Allow of this principle as applied to Africa, and I should be glad to know, why it might not also have been applied to antient and uncivilized Britain. Why might not some Roman senator, reasoning upon the principles of some honorable members of this house, and pointing to *British barbarians*, have predicted with equal boldness, "There is a people, that will never rise to civilization—There is a people destined never to be free—a people without the understanding necessary for the attainment of useful arts, depressed by the hand of nature below the level of the human species, and created to form a supply of slaves for the rest of the world." Might not this have been said, according to the principles which we now hear stated, in all respects as fairly and as truly of Britain herself, at that period of her history, as it can now be said by us, of the inhabitants of Africa? We, sir, have long since emerged from barbarism. We have almost forgotten, that we ever were barbarians. We are now raised to a situation, which exhibits a striking contrast to every circumstance, by which a Roman might then have characterized us, and by which we now characterize Africa. There is indeed one thing wanting to complete the contrast, and to clear us altogether from the imputation of acting even

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to this hour as barbarians; for we continue to this hour a barbarous traffic in slaves: we continue it even yet in spite of all our great and undeniable pretensions to civilization. We were once as obscure among the nations of the earth, as savage in our manners, as debased in our morals, as degraded in our understandings, as these unhappy Africans are at present. But in the lapse of a long series of years, by a progression, slow, and for a time almost imperceptible, we have become rich in a variety of acquirements, favored above measure in the gifts of Providence, unrivalled in commerce, pre-eminent in arts, foremost in the pursuits of philosophy and science, and established in all the blessings of civil society: We are in the possession of peace, of happiness, and of liberty; we are under the guidance of a mild and beneficent religion, and we are protected by impartial laws, and the purest administration of justice. We are living under a system of government, which our own happy experience leads us to pronounce the best and wisest, which has ever yet been framed; a system, which has become the admiration of the world. From all these blessings we must have been for ever excluded, had there been any truth in those principles, which some gentlemen have not hesitated to lay down as applicable to the case of Africa. Had those principles been true, we ourselves should have languished to this hour, in that miserable state of ignorance, brutality, and degradation, in which history proves our ancestors to have been immersed. Had other nations adopted these principles in their conduct towards us; had other nations applied to Great Britain the reasoning, which some of the senators of this very island now apply to Africa, ages might have passed without our emerging from barbarism; and we who are enjoying the

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blessings of British civilization, of British laws, and of British freedom, might at this hour have been little superior, either in morals, in knowledge, or refinement, to the rude inhabitants of the coast of Guinea.

"If then we feel, that this perpetual confinement in the fetters of brutal ignorance, would have been the greatest calamity which could have befallen us; if we view with gratitude and exultation the contrast between the peculiar blessings we enjoy, and the wretchedness of the antient inhabitants of Britain; if we shudder to think of the misery, which would still have overwhelmed us, had great Britain continued to the present time to be the mart for slaves to the more civilized nations of the world, through some cruel policy of theirs, God forbid that we should any longer subject Africa to the same dreadful scourge, and preclude the light of knowledge, which has reached every other quarter of the globe, from having access to her coasts.

"I trust we shall no longer continue this commerce, to the destruction of every improvement on that wide continent; and shall not consider ourselves as conferring too great a boon, in restoring its inhabitants to the rank of human beings. I trust we shall not think ourselves too liberal, if, by abolishing the slave trade, we give them the same common chance of civilization with other parts of the world, and that we shall now allow to Africa the opportunity—the hope—the prospect, of attaining to the same blessings, which we ourselves, through the favorable dispensations of Divine Providence, have been permitted to enjoy at a much more early period. If we listen to the voice of reason and duty, and pursue this night the line of conduct which they prescribe, some of us may live to see

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a reverse of that picture, from which we now turn our eyes with shame and regret. We may live to behold the natives of Africa, engaged in the calm occupations of industry, in the pursuits of a just and legitimate commerce. We may behold the beams of science and philosophy breaking in upon their land, which, at some happy period, in still later times, may blaze with full lustre, and, joining their influence to that of pure religion, may illuminate and invigorate the most distant extremities of that immense continent. Then may we hope, that even Africa, though last of all the quarters of the globe, shall enjoy at length, in the evening of her days, those blessings which have descended plentifully upon us in a much earlier period of the world. Then also will Europe, participating in her improvement and prosperity, receive an ample recompence for the tardy kindness, if kindness it can be called, of no longer hindering that continent from extricating herself out of the darkness, which, in other more fortunate regions, has been so much more speedily dispelled,

> Nos primus equis oriens afflavit anhelis;
> Illic sera rubens accendit lumina vesper *.

Then, sir, may be applied to Africa, those words, originally used indeed with a different view,

> His demum exactis,
> Devenere locos lætos, et amæna vireta
> Fortunatorum nemorum, sedesque beatas;
> Largior hic campos æther et lumine vestit
> Purpereo †.

" It is in this view, sir, it is as an atonement for our long and cruel injustice towards Africa, that the measure proposed

* Georg. lib. 1. 250. † Æn. lib. 6. 637.

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by my honorable friend, most forcibly recommends itself to my mind. The great and happy change to be expected in the state of her inhabitants, is, of all the various and important benefits of the abolition, in my estimation, incomparably the most extensive and important.

" I shall vote, sir, against the adjournment, and I shall also oppose to the utmost every proposition, which in any way may tend either to prevent, or even to postpone for an hour, the total abolition of the slave trade; a measure, which, on all the various grounds I have stated, we are bound, by the most pressing and indispensable duty, to adopt."

It is impossible to imagine that this truly eloquent and persuasive speech, which was received with the loudest applauses, did not carry conviction to the minds of many who heard it; but still Mr. Pitt failed in his main object, immediate abolition. For, though Mr. Jenkinson's motion was rejected by a majority of 234 to 87, Mr. Dundas's proposal for inserting the word " gradually," was agreed to by a majority of 193 to 125. Mr. Wilberforce's motion, with this addition, was carried, by a majority of 145; the numbers being, 230, and 85.

After these divisions, the house adjourned.

Thus, however, was it decided, by a very large majority, that the slave trade ought to be gradually abolished; but Mr. Wilberforce, on the 4th of April, informed the house, that it was impossible for him to bring in any bill for a gradual abolition, or, in other words, to sanction for a time, that, which, it was his deep and firm conviction, ought not to endure one moment longer. It was, he said, for Mr. Dundas, who proposed, or for some of those who supported the gradual,

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instead of the immediate, abolition, to follow up a measure, which he disclaimed.

Mr. Dundas acknowledged, that he was not prepared with a bill, or with a digested system, to carry his opinion into effect; but being pressed by Mr. Wilberforce, Mr. Fox and other friends to abolition, he promised to take the subject into consideration, and to submit his ideas to the house on a future day.

Accordingly, on the 23d of the same month, he explained his sentiments as to the time and manner of abolishing the trade; and at the end of his speech, read twelve resolutions, the first of which, fixing a definite meaning to the word gradual, directed that the importation of African slaves into the British colonies, should cease on the 1st of January 1800; and the other eleven contained a variety of previous regulations, which appeared to him necessary for the final accomplishment of his plan at the proposed period.

It being understood, that, on the present occasion, it was intended only to make an order for printing these resolutions, with a view to their being debated on a future day, Mr. Pitt contented himself with expressing an opinion, that the house was not precluded, by the vote of the former night, from reconsidering the propriety of immediate abolition; and he hoped, that an opportunity would be afforded of again voting upon that question: he did not despair of convincing the house, of the inconsistency and impracticability of a gradual abolition; but if he should fail in that attempt, he would consent to any proposition, which was most likely to shorten the duration of the slave trade. Mr. Wilberforce and Mr. Fox

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concurred with Mr. Pitt in thinking, that nothing had yet been done by the house to prevent a revisal and alteration of their former decision; and they all agreed, that the doctrines and additional information that day brought before the committee by Mr. Dundas, tended more and more to impress upon their minds, the necessity for a total and immediate abolition of the trade.

Two days afterwards, Mr. Dundas moved his first resolution; and lord Mornington proposed, that, instead of the 1st of January 1800, should be substituted, the 1st of January 1793, which was, in fact, to propose an immediate abolition. This amendment, although strenuously supported by Mr. Pitt, Mr. Fox, and Mr. Wilberforce, was lost, by a majority of 158 to 109, and the house immediately adjourned.

At another interval, of two days, the debate was resumed, and lord Mornington moved, that the trade should cease on the 1st of January 1795. Mr. Pitt, in supporting this amendment, lamented, that his efforts on this subject had, hitherto, not been completely successful; but he was consoled with the thought, that the house had come to a resolution, declarative of their opinion, that this trade ought not to continue; that all parties had concurred in reprobating it; that even its advocates had been compelled to acknowledge its infamy. The question now was only, the continuance of this abominable traffic, which even its friends, thought so intolerable, that it ought to be crushed. Jamaica had imported one hundred and fifty thousand negroes in the course of twenty years: and this was admitted to be only one-tenth part of the trade. Was there ever, could there be, any thing beyond the enormity of this infamous

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traffic? The very thought of it was beyond human endurance. It was allowed, however, that the trade was infamous; but the abolition of it was resolvible to a question of expediency; and then, when the trade was argued as a commercial case, its advocates, in order to continue it, deserted even the principles of commerce; so that a traffic in the liberty, the blood, the life of human beings, was not to have even the advantage of the common rules of arithmetic, which governed all other commercial dealings.

The point now in dispute was only one year, as he understood; for the amendment proposed the year 1795 for the abolition, while only the year 1796 was contended for by some on the other side. As to those who were concerned in the trade, a year would not make much difference; but did it make no difference to the unhappy slaves? It was true that, in the course of commercial concerns in general, it was said sometimes to be beneath the magnanimity of a man of honor to insist on a scrupulous exactness in his own favor, upon a disputed item in accounts; but did it make any part of our magnanimity to be exact in our own favor, in the traffic of human blood? When a man gave up 500*l.* or 100*l.* against himself, upon a complicated reckoning, he was called generous; and when he insisted on it in his own favor, he was deemed niggardly. The common course when parties disagreed, was, what the vulgar phrase called, "to split the difference." If he could feel that he was to calculate upon the subject in this way, the side on which he should determine it, was in favor of the unhappy sufferers, not of those who oppressed them. But this one year was only to shew the planters, that parliament

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were willing to be liberal to them. "Sir," said Mr. Pitt, "I do not understand complimenting away the lives of so many human beings. I do not understand the principle on which a few individuals are to be complimented, and their minds set at rest, at the expence, and total sacrifice of the interest, the security, the happiness, of a whole quarter of the world, which, from our foul practices, has, for a vast length of time, been a scene of misery and horror. I say, because I feel, that every hour you continue this trade, you are guilty of an offence beyond your power to atone for; and by your indulgence to the planters, thousands of human beings are to be miserable for ever. Notwithstanding the bill passed for regulating the middle passage, even now the loss during the voyage is not less than ten in every hundred. Including the whole mortality of this deleterious traffic, nearly five hundred out of every thousand that are taken, still perish—are miserable victims brought to their graves; and the remaining part of this unhappy groupe are tainted both in body and mind, covered with disease and infection, infecting the very earth on which they trade, and the air in which they breathe; carrying with them the seeds of pestilence and insurrection to your islands. Every year you continue this abominable trade, you add thousands to the catalogue of misery. Am I then improperly pressing the house to consider, whether it be not better, that the trade should continue two, rather than three years? I feel its infamy so heavily, I am so clearly convinced of its impolicy, that I am ashamed I have not been able to prevail upon the house to abandon it altogether at an instant—to pronounce with one voice, immediate and total abolition. There is no excuse for

us, seeing this infernal traffic as we do. It is the very death of justice, to utter a syllable in support of it. Sir, I know I state this subject with warmth. I feel it is impossible for me not to do so; or if it were, I should detest myself for the exercise of moderation.

"As to the probability, that in the year 1795 the plantations will not be in a state fit to carry on business without the importation of fresh negroes, I will venture to say, that there is no ground whatever for any such apprehension. They will be in a situation in 1795 to go on without importation—they will be in that situation in 1794—they will be in that situation in 1793; for I have proved them to have been in that situation in 1788. In short, unless I have misunderstood the subject, and unless some reason much superior to any I have yet heard, be adduced, I shall think it the most singular act that ever was done by a deliberatative assembly, to refuse to assent to the proposed amendment."

Mr. Pitt spoke a second time in this debate, for the purpose of explaining and enforcing some of his arguments, which had been misunderstood; but all his exertions and all his zeal were in vain, the amendment being rejected by 161 to 121.

Sir Edward Knatchbull then proposed the 1st of January, 1796, which, after a short conversation, was carried by a majority of 151 to 132.

Mr. Dundas immediately declared, that as so material an alteration had been made in his plan, he must decline taking any farther step upon the subject; and the house adjourned.

Mr. Pitt, finding the business thus abandoned both by Mr. Wilberforce and Mr. Dundas, because their respective

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sentiments were not adopted by the house to their full extent, and being anxious, that the abolition should take place at any period rather than none, undertook, notwithstanding his other occupations, to move such additional resolutions as he thought requisite, and to bring in a bill founded upon them; and accordingly on the 2nd of May, he moved five of Mr. Dundas's resolutions with modifications and amendments. They passed without opposition or debate; and being reported, at Mr. Pitt's particular desire, that night, were upon his motion communicated to the house of lords at a conference the next day, together with copies of all the information and accounts, which had been received by the house of commons: the object of this haste was, that a bill might be introduced as soon as possible, with the joint concurrence of the two houses.

On the 8th of May, when the business came under consideration, lord Stormont, who was adverse to the abolition, contended, that, in a matter of so great moment, it would be beneath the dignity of the house of lords, to rely upon the documents received from the other house; and insisted, that they had a right, and that it was their duty, before they expressed any opinion upon these resolutions, to satisfy themselves of the truth of the facts, upon which they were founded, by calling witnesses to their own bar: he therefore made a motion for that purpose. The reasonableness of hearing evidence could not be controverted; but lord Grenville, who was a zealous friend to the abolition, and had undertaken to conduct the business in the house of lords, knowing that the examination of witnesses at the bar would create great delay, proposed, that it should take place before a select committee. This

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amendment, which was opposed by the lord chancellor and several other peers, who were unfriendly to the resolutions, was negatived by a majority of 63 to 36; and the original motion passed.

The examination of witnesses at the bar accordingly commenced, but very little progress was made in it before the prorogation; the time of the house being much occupied by the trial of Mr. Hastings, and other public business; and of course the introduction of the intended bill was necessarily postponed to the next session. That this must be the case, was indeed foreseen from the moment it was determined, that the witnesses should be examined at the bar of the house of lords; and such postponement was unquestionably the object of those who supported that measure.

On the 19th of March, Mr. Pitt introduced into the house of commons, a bill for the encouragement of the growth of timber in the New Forest. This bill was founded upon a report of the commissioners appointed to inquire into the state of the land revenue of the crown, who represented, that in consequence of inattention to the raising and to the preservation of timber, both upon crown lands and private property, there was great danger, that within a short period there would not be a sufficient supply of this important article for the use of the navy; and the situation of the New Forest, affording a ready water conveyance to Portsmouth and Plymouth, was considered very convenient for guarding against this serious evil. The bill, containing suitable provisions for promoting the growth of timber, and for improving the royal revenue

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arising from the New Forest, by the sale of certain parts, and the enfranchisement of copyholds, passed the house of commons without much difficulty; but in the house of lords it met with very decided resistance, not only from those members who were in the habit of opposing the measures of government, but from the lord chancellor himself. His lordship, on the 5th of June, the day appointed for the second reading, complained, that a bill of so much importance and delicacy had been deferred to so late a period of the session, and objected to its principle, as favoring the alienation of the crown lands. Upon the same ground he censured the reports of the commissioners; asserting, that it was essential to the safety of the constitution, that the sovereign should have his interest blended with, and complicated in, the fate of the landed property of the country. He reflected severely upon those, who had given advice to the king upon this measure; and went so far as to say, that his majesty had been imposed upon. These complaints and reproaches could not be misunderstood—they were directed, and known to be directed, against Mr. Pitt, who had introduced the bill, and whose peculiar duty it was to advise his majesty upon such subjects. The commitment of the bill was carried by a majority of 41 to 29; but a petition being presented against its farther progress, on a following day, from the owners of land in the forest, affirming, that the bill would operate in a manner injurious to their rights; and praying, that they might be heard by counsel, and produce evidence at the bar of the house, which could not with propriety be refused, it was found impossible to proceed with it in the

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CHAP. XIV. 1792. present session. The measure was never resumed, other means being resorted to for promoting the growth of timber.

PARLIAMENT was prorogued on the 16th of June; and the king, in his speech, lamented the commencement of hostilities upon the continent; but assured the two houses, that it should be his principal care to maintain that harmony and good understanding which at present subsisted between himself and the belligerent powers.

The extraordinary manner in which, as has been related, the lord chancellor opposed the loan bill, rendered it necessary for Mr. Pitt to take a step, which the common friends of those two distinguished persons had for some time seen to be inevitable. From the commencement of Mr. Pitt's administration, to the period of the king's illness, the lord chancellor had acted with the utmost zeal and cordiality as a member of the cabinet *; but during the proceedings in parliament, to which that unhappy event gave rise, a great alteration took place in his conduct; to such a degree indeed, that upon several occasions, Mr. Pitt felt by no means confident, what part he would take in the debates in the house of lords. In all the discussions, however, relative to the regency, he invariably, and with apparent sincerity, supported the principles and measures of Mr. Pitt; but not entirely without suspicion, at the moment of the greatest difficulty, of a

* Mr. Pitt used to say, that he always found it useful to talk over any measure, which he had in contemplation, with lord Thurlow, as he was sure to hear from him every objection, to which it was liable.

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disposition to pursue an opposite line, in consequence of his being admitted to frequent interviews with the prince of Wales. Whether the amendment, which took place in the king's health, had any influence in this respect, it is impossible to know. After his majesty's recovery, the same coolness and reserve towards Mr. Pitt, continued and gradually increased, although there was no difference of opinion upon any political question, nor did there appear any other cause for dissatisfaction.

This was a matter of so great importance, that it was thought right to make the king acquainted with it; and his majesty wrote to the lord chancellor upon the subject, towards the end of November 1789, and received such an answer as led him confidently to hope, that Mr. Pitt would in future have no reason to complain of the lord chancellor. This, however, proved by no means the case; and Mr. Pitt, at length convinced, that he could not rely upon lord Thurlow's co-operation, submitted to the king, at the beginning of the following November, the expediency of advancing Mr. William Grenville, who was then secretary of state, to the peerage, for the purpose of conducting the public business in the house of lords, and of remedying those inconveniences, which had frequently arisen from the waywardness of the lord chancellor. To this proposal, his majesty immediately assented; but though Mr. Pitt had now the satisfaction of feeling entirely at ease, as far as the support of the measures of government was concerned in the house of lords, yet he still had the mortification of observing a continuance of the same unfriendly disposition in the lord chancellor.

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One of the members of the cabinet*, who had been intimately acquainted, as well as politically connected, with the lord chancellor for many years, repeatedly remonstrated with him, upon his present conduct towards Mr. Pitt, which he represented to be the subject of serious concern to all their colleagues, and earnestly pressed him, both for public and private reasons, to state openly and candidly his ground of complaint; assuring him, that no offence or neglect had been intended, and that Mr. Pitt was ready to enter into an explanation upon any point he might wish. This friendly interposition entirely failed. No explicit answer could be obtained; nor did the chancellor mention a single objection to Mr. Pitt's public measures, or specify one instance of inattention to himself. He persevered in taking every opportunity of marking his personal dislike of Mr. Pitt, though constantly warned of the unreasonableness and unavoidable consequence of such behavior; and at last his spleen broke forth in a violent censure of a bill, to which he knew Mr. Pitt annexed the greatest importance †; and he actually voted against it without having given any previous notice of his intention. Mr. Pitt, who had shewn more forbearance than any other man would have done under similiar circumstances, had now no alternative. Neither the good of the public service, nor a regard to his own feelings and character, would allow him to submit to such an indignity; and on the following morning, he respectfully submitted to the king, the impossibility of his remaining in office with the lord chancellor, and the consequent necessity

* The marquis of Stafford.

† The bill for liquidating all future loans.

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of his majesty's making his choice between them *. The king was in some degree prepared for this communication; and the lord chancellor was immediately acquainted, by his majesty's command, that he must resign the seals †. But as a change was not desirable so near the end of the session, and some time was requisite to bring business, depending in the court of chancery, to a conclusion, he did not actually give up the seals till the day of the prorogation, when they were placed in the hands of three commissioners ‡.

This dismissal of the lord chancellor was not followed by a single resignation or change in any political or legal department; nor was it expected to affect the vote of one member in either house of parliament—a clear proof of the opinion which was entertained of Mr. Pitt's conduct, upon this occasion.

It was mentioned in the former part of this chapter, that lord Cornwallis, after his return to Bangalore, in the summer of 1791, passed the remainder of that year in preparing for

* Mr. Pitt, at the same time, wrote the following letter to the lord chancellor:

"Downing Street, Wednesday, May 16, 1792.

"My Lord,

"I think it right to take the earliest opportunity of acquainting your lordship, that being convinced of the impossibility of his majesty's service being any longer carried on to advantage, while your lordship and myself both remain in our present situations, I have felt it my duty to submit that opinion to his majesty; humbly requesting his majesty's determination thereupon.

I have the honor to be, &c.

W. PITT."

† His opposition to the new forest bill, was subsequent to this notice.

‡ The three commissioners were, lord chief baron Eyre, Mr. justice Ashurst, and Mr. justice Wilson.

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a second expedition against Tippoo Saib. Very early in 1792, he moved his army to Outradoog*; and being there joined by the nizam's forces and the Mahrattas, he proceeded on his march, and arrived in the neighborhood of Seringapatam, on the 5th of February. In the evening of the following day he attacked Tippoo's fortified camp with such success, that after a severe conflict, which lasted the whole of the night and part of the next day, he made himself master of the camp itself, and also of a considerable part of the island†, on which the city was situated. Tippoo took refuge in a strong fort near his capital, from whence he informed the allies, that he was desirous of treating for peace; and commissioners were appointed for that purpose by the different parties, who met for the first time on the 15th. But lord Cornwallis, who had immediately begun to construct works for assaulting the fort, knowing the faithlessness of the sultan, continued his operations even after the negotiation commenced; and the batteries being opened on the 19th, Tippoo, who had hitherto shewn very little disposition to yield, found himself on the 23rd reduced to so perilous a state, that he was compelled to submit to the following terms, dictated by lord Cornwallis; first, that he should cede one half of his

* It was from this place, and at this time, that lord Cornwallis wrote to Mr. Pitt the letter, part of which was quoted in the beginning of this chapter. In the same letter was the following passage:—"I think, notwithstanding all that has been said to the contrary, that the destruction of Tippoo's power would be very desirable; but peace, upon safe and honorable terms, is still the first and greatest object; and the most encouraging prospects shall not induce me to neglect an opportunity of obtaining it."

† This island is about four miles long, and a mile and half broad, formed by a division of the river Cavery, which flows around it in two distinct channels.

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dominions to the allied powers; secondly, that he should pay three crores and thirty lacks of rupees*; thirdly, that he should, without any reserve, restore all the prisoners who had been taken by the Mysoreans, from the time of Hyder Ally; and fourthly, that he should deliver up two of his three eldest sons as hostages for the performance of this treaty. Two of the sultan's sons, one ten and the other eight years old, were accordingly sent with great pomp to the English camp, on the 26th; and on the 19th of March, after much dilatory and evasive conduct on the part of Tippoo, the definitive treaty was signed. The ceded country was divided among the three allied powers, in the manner best suited to their respective interests; and the East India company was amply compensated for the expences of the war, by a large acquisition of territory, which produced a considerable revenue; and at the same time, by its situation, afforded great protection and security to the company's former possessions, and to those of the friendly native powers, in the Carnatic, and on the coast of Malabar.

The moderation of lord Cornwallis was highly commended, in suffering Tippoo to retain one half of his dominions, as he had it completely in his power to deprive him of the whole; and the good faith which he kept with the nizam and the Mahrattas, left a favorable impression of British justice upon the minds of the Indian chiefs, while he ingratiated himself with his own officers and troops, by resigning to them his share of the plunder—an act of generosity, in which he was joined by general Medows. The account of these transactions did not arrive in England till the autumn of 1792.

* Between three and four millions sterling.

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By the death of lord Guilford on the 5th of August in this year, the wardenship of the Cinque Ports, worth about 3,000*l.* a year, became vacant; and the king immediately offered it to Mr. Pitt, in the following most gracious and pressing terms:

Windsor, August 6, 1792.

"Having this morning received the account of the death of the earl of Guilford, I take the first opportunity of acquainting Mr. Pitt, that the wardenship of the Cinque Ports is an office, for which I will not receive any recommendations; having positively resolved to confer it on him, as a mark of that regard, which his eminent services have deserved from me. I am so bent on this, that I shall seriously be offended at any attempt to decline. I have intimated these my intentions to the earl of Chatham, lord Grenville, and Mr. Dundas."

His Majesty, knowing that Mr. Pitt was at Burton Pynsent, on a visit to his mother, sent the above letter to Mr. Dundas, in London, adding, "Mr. Dundas is to forward it with a few lines from himself, expressing, that I will not admit of this favor being declined. I desire that lord Chatham may also write, and that Mr. Dundas will take the first opportunity of acquainting lord Grenville with the step I have taken *."

* The king had always expressed a great desire to make some provision for Mr. Pitt. In May 1790, Mr. Pitt applied by letter to the king, for the reversion of a tellership of the exchequer, in favor of lord Auckland's son, to which his majesty assented; and added, "had Mr. Pitt proposed some means of rendering it of utility to himself, it would have been pleasing to me, as I do not feel easy at not having had an opportunity of securing a provision for him, in case of my paying that tribute, to which every one is sooner or later subject."

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We have seen, that Mr. Pitt declined an office of the same value, soon after he became first lord of the treasury, and at a moment, when his continuance in that situation was extremely uncertain. Having then been only a short time in his majesty's service, he felt that he had no claim upon the public; and the very peculiar circumstances in which he stood, instead of operating as an inducement to seize that opportunity of securing to himself a provision, determined him to dispose of the clerkship of the pells, without benefit to himself, or to any relative or friend. But he had now been prime minister nearly nine years; and conscious that he had employed all his time and thoughts in endeavoring to promote the interests of his country; and knowing, that besides giving up a lucrative profession, he had expended the whole of his private fortune, in addition to his official income, he gratefully accepted this mark of his majesty's condescending kindness and approbation; and the propriety of the appointment was never called in question by any party or person *.

* This assertion admits of one exception. A noble duke, who then held a high situation in his majesty's household, applied to Mr. Pitt for this office, which was always considered to be in the gift of the minister; and he took every opportunity of expressing and shewing his resentment, that Mr. Pitt would not decline it in his favor. Three years afterwards, he refused to give his vote for a professorship at Cambridge, which vote he had in right of his official situation, according to Mr. Pitt's wishes, assigning his disappointment with respect to the Cinque Ports, as his reason; and yet the noble duke was suffered to retain his situation in the household till his death in 1799.

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CHAPTER THE FIFTEENTH:

1792.

Affairs in France—Relative Conduct of Great Britain and France—Revolutionary Spirit in England—Meeting of Parliament—Declaration of War by France against Great Britain and Holland—Review of Mr. Pitt's Measures.

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THE disposition of the authors and promoters of the revolution in France, to foster and encourage the same spirit in other nations, which appeared in its earliest stage, and in every part of its progress, has been cursorily noticed; and it will now be proper to enter more fully into the subject, as the consequences it produced, necessarily and materially influenced the whole course of Mr. Pitt's administration from this period.

The national assembly, immediately after the removal of the king from Versailles to Paris in 1789, received a congratulatory address from the revolution society in London, with the warmest approbation; and declared, that it contained those sentiments of universal benevolence, which ought to unite together, in all countries of the world, the true friends of liberty and of the happiness of mankind. In the following year, a similar reception was given to a petition presented by Anacharsis Cloots, attended by a train of persons, who pretended to be ambassadors from all the nations of the earth: in this petition it was stated, that the people were everywhere under the yoke of dictators, calling themselves sovereigns, in defiance of the national assembly, who had pronounced, that the sovereignty

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resided in the people themselves; and the president in his answer, said, that the petitioners had proved that the progress, which one nation makes in philosophy and in the rights of man, belongs equally to all other nations; and that France flattered herself, that her example would lead to the restoration of liberty in every country, by whatever name its government was administered. Upon one occasion it was boasted, that the universe would be indebted to the national assembly, for beholding the yoke of error, despotism, superstition, and ignorance, broken by all men, who, tired, like the French, of the debasement and inertness, into which the people had fallen, should annihilate every species of tyranny: and upon another it was said, that the national assembly, having had the honor of making France free, it belonged to the rising generation to carry that conquest to the very extremities of the two worlds; and the only mode of obtaining freedom for any country was pronounced to be, by raising the governed against the governors; and by teaching the people, that such resistance was easy, and could not fail to be attended with advantage. These and other sentiments, in the same spirit of hostility to all established governments, were delivered and applauded in the national assembly, before it was even pretended, that any foreign court had expressed the slightest dissatisfaction upon the subject of the French revolution; and to give greater effect to what passed in public, the Jacobin clubs in France, the leading members of which had the principal influence in the assembly, maintained a constant communication with similar institutions in other countries, and employed emissaries, in violation of the law of nations, to propagate

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their principles and excite discontent among the middle and lower classes of society. To this it may be added, that the refusal to exempt the possessions of the German princes in Alsace and Lorrain, from the operation of the decrees for the abolition of feudal rights, was in direct contradiction to the solemn compact, by which those countries were annexed to the crown of France; and the seizure of Avignon and the Contat Venaissin, which had formed part of the pope's dominions for several centuries *, was another instance of the flagrant violation of the most sacred treaties, and of an utter disregard to the fundamental principles of national faith.

It was impossible that these proceedings, which threatened to disturb the tranquillity, and endanger the safety, of every independent state, should not awaken general apprehension and alarm; and it was natural to expect, that the powers, whose territories were contiguous to France, should feel themselves peculiarly interested in checking this disorganizing and revolutionary system. Soon after the flight and subsequent detention of the king of France in a state of captivity, the emperor of Germany pointed out to other courts the degraded condition, to which his brother-in-law and ally was reduced, as an example of most pernicious tendency; and suggested the necessity of requiring in their joint names, the liberation of his most christian majesty, and of announcing their determination to unite in avenging, in the most signal manner, any farther attempt against the liberty, the honor, or safety of his royal person. The emperor and king of Prussia held a conference

* Avignon had belonged to the Roman See four centuries and a half, and the Contat Venaissin nearly six centuries.

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at Pilnitz *, to consider the expediency and means of forming a confederacy for that purpose; and a manifesto, signed by them at that place on the 27th of August 1791, was the first public notice taken of the French revolution, by any foreign power. In this manifesto they declared, that they considered the then situation of the king of France as an object of common interest to all the sovereigns of Europe; and that they hoped for the concurrence of other powers, whose assistance they had already solicited, in making the necessary exertions to enable the king of France, when placed in a state of perfect freedom, to establish a monarchical government, upon principles equally consistent with the rights of sovereigns and the welfare of the French nation.

It is to be observed, that it formed no part of this plan to restore the king of France to that absolute dominion, which he enjoyed before the revolution—its only object was, to put an end to that dangerous usurpation of authority then existing in France, by contributing to the establishment of a limited monarchy, which would have been no less beneficial to that country, than to the surrounding nations, whose peace had been frequently disturbed by the uncontrolled ambition of the French sovereigns. The powers alluded to as having been invited to join in the proposed alliance were Spain, Russia, England, Naples, and Sardinia; and they all, with the exception of England, promised to co-operate with the emperor of Germany and the king of Prussia against the ruling party in France.

* The elector of Saxony, the comte d'Artois, the marquis de Bouillè, and M. de Calonne, were present at this conference.

But before any active step could be taken by this coalition, if any such were really intended *, the king of France formally notified his acceptance of the new constitution to all the courts of Europe; in consequence of which, the emperor, considering this as the voluntary act of Louis, immediately declared, that the confederacy was at an end for the present; and only recommended to the other sovereigns to be upon their guard, and to hold themselves in readiness, in case any fresh events should render the renewal of the alliance adviseable. He wrote a letter soon after to the king of France, to assure him that he had no design to interfere in the affairs of his kingdom, while the constitution, which had been duly proposed and acceded to, was faithfuly observed. He made a considerable reduction in his army, and again received the French ambassador, who had been forbidden to appear at his court. He also required the elector of Mentz to disperse the corps of French emigrants stationed in his dominions; and prohibited their assembling in military array in the Austrian Netherlands. It was scarcely possible for the emperor to give more unequivocal proof of his wish and intention to remain at peace with France; and had the king been permitted freely to exercise even the little power which the constitution gave him, no war would have ensued. The pacific disposition of his imperial majesty was indeed acknowledged by Brissot, who, both on the 29th of September and the 20th of October 1791, assured

* "There is reason to believe, that it was not the emperor's design to commence hostilities against France, but merely to alarm the Jacobins by a junction of several powers, and to deter them from offering violence to the persons of his brother-in-law, and his own sister." Marsh v. 1. p. 10.

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the national assembly, that there was no reason to apprehend war on the part of Austria, as the emperor was a lover of peace. This confession was the more remarkable, as on the former of those days, Brissot recommended war as a national benefit to France.

The second national assembly, generally known by the name of the Legislative Assemby, met in October 1791; and by far the greater number of its members were Jacobins of the lowest origin*, and most unprincipled character, determined to abolish royalty with all its appendages†. While a large majority agreed upon this main point, there was a difference of opinion among them, whether their common object would be best attained by a foreign war, or by a continuance of peace; and after a struggle, which was maintained with eagerness for a considerable time, the advocates for war prevailed‡. The ultimate end, however, at which they aimed, and the

* The members of the dissolved national assembly were, by the constitution, incapable of being re-elected. Not 50 out of 750 members of the new assembly were supposed to possess a clear annual income of 100*l.* sterling.

† On the 4th of September in the following year, all the members of the assembly who were present, exclaimed at once, that they swore hatred to kings and to royalty.

‡ Brissot, who was at the head of the war faction, in a pamphlet addressed to the republicans of France, said, "without war France would not have become a republic;" and, "it was the abolition of royalty which I had in view in causing war to be declared!" And Louvet, in his address to Roberspierre, said, "republicans who were worthy of the name, demanded the war: they dared to aspire to the lasting renown, to the immortal honor, of abolishing royalty itself, of abolishing it forever, first in France, and then throughout the world." Marsh v. 1. p. 69. The speeches and writings of the principal members of the national assembly abounded with expressions and sentiments in favor of war.

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means by which it was to be accomplished, were both of them measures of too great importance to be carried into execution abruptly. Plausible pretexts were to be sought, and the public mind was to be prepared, for these violent and unjustifiable acts.

With that view, reports were industriously circulated, that the emigrant princes were assembling an army for the purpose of invading France and effecting a counter-revolution; and that they kept up a constant correspondence with what was called an Austrian committee in the Thuilleries, under the sanction of the king*. It was also asserted, that the emperor, notwithstanding his pacific professions, was actually marching large bodies of troops towards Alsace and Lorrain; and that he was secretly urging the other powers of Europe to join in a general confederacy, for the restoration of absolute monarchy in France. These plots, it was pretended, could only be defeated by "assuming a bold attitude, and by striking the first blow." "A hundred thousand Frenchmen," the instigators to war exclaimed; "brave and well armed, are impatiently waiting for the signal to attack; while on the side of our enemies, nothing is to be perceived but extreme impotence: the empires is only a phantom; Brabant will probably become free, and the ally of France; Holland, restored to liberty, cannot be the enemy of a free people; the distresses of Spain will render her inactive; and the *English government* can only strike at a distance; while *the people of England* will offer up prayers for the success, which they know will one day be their own: war

* One of the journalists was tried for asserting, that such a committee existed, and could produce no proof of his assertion.

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will fix the French revolution upon an immovable basis, and shake the throne of every despot in Europe." It was now*, for the first time, affirmed, that the Rhine, the Alps, the Pyrenees, and the ocean, were the boundaries pointed out by nature for the kingdom of France; an extent of country evidently comprehending several territories then possessed by other powers, to which France had not the slightest claim, and which could not be obtained but by military conquest. It was expressly asserted, that war was necessary for France—for her honor—for her safety—for the re-establishment of her finances, and of her public credit. To shew the probability of success in any attempt against their German neighbors, an official report was made to the national assembly, as early as the 12th of January 1792, stating, that 240 battalions of foot, and 160 squadrons of horse, were already assembled on the borders from Dunkirk to Besançon, with artillery and magazines for an army of 200,000 men, and that the most active measures were taking for a still farther augmentation†.

These confident representations of hostile intentions against the new constitution of France, and these projects of ambition, with the power of carrying them into execution, artfully displayed, produced the desired effect; and the national assembly, finding its authority sufficiently established, and the people favorably disposed to its plans, declared war, with only seven dissentient voices, on the 20th of April 1792, against the king of Hungary and Bohemia, there being at this time no emperor

* December 14, 1791.

† These measures were so successful, that in the summer of 1792, the French had 300,000 men in arms.

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of Germany*. This was also, in fact, a declaration of war against the king of Prussia, who had formally announced to the French cabinet, that he should consider any attack upon the dominions of Austria, as an attack upon his own.

Such was the commencement of the French revolutionary war, which, from the principles in which it originated, from the number of powers afterwards engaged in the contest, from the wonderful events attending almost every stage of its long continuance, and from the extraordinary circumstances with which it was concluded, at the end of three-and-twenty years, must always occupy a most distinguished place in the page of history; and can never cease to be highly interesting to every reflecting mind, to the latest period of time.

The decisive step of declaring war against Austria being taken, the republican party persevered in their efforts for the utter annihilation of regal power in France. The press overflowed with productions abusive of royalty; the private characters of the reigning family were grossly calumniated; fresh contrivances were constantly resorted to for the purpose of lowering the king in the public estimation; no artifice was omitted which could excite jealousy and suspicion against him; the sincerity of his acceptance of the constitution was questioned; and to keep the public mind in a state of constant agitation, continual rumors were spread of his intention to quit the kingdom, and throw himself into the arms of the hostile powers.

* Leopold died on the 1st of March, and his son Francis the Second, who immediately succeeded to his hereditary dominions, was not elected emperor till the 5th of July. He was crowned at Frankfort on the 14th.

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The new national assembly, from their first meeting, refused to receive the king, or to make communications to him, with those exterior marks of respect, which their predecessors had observed; neither did they address him with the accustomed titles of sire and majesty. So little regard did they pay to the constitutional code, although recently and solemnly ratified, that a member was vehemently called to order, for supposing that the consent of the king was necessary to give validity to a law; and his majesty's exercise of the veto*, expressly vested in him by the constitution, was, soon after, the subject of severe animadversion and complaint, and even excited the most indecent clamor in the assembly. In the debates, he was treated with gradually increasing insolence and contempt; and addresses were received with applause, which at first intimated the expediency of abridging his power, and at last urged the necessity of abrogating his office. On the 3d of August, the mayor of Paris, appearing at the bar of the assembly, surrounded by deputations from all the sections, demanded, in unqualified terms, the deposition of the king; and on the sixth, a petition, to the same effect, with a long list of signatures, was presented by a numerous rabble, preceded by a man, carrying a cap of liberty upon a pike, with this inscription, "The deposition of the king." The leaders of the republican party called upon the assembly to take these addresses and

* The king refused his consent to two decrees passed on the 9th and 18th of November 1791, the former of which declared, that the emigrant princes and public functionaries, who should not return to France before the 1st of January 1792, should be considered as guilty of high treason, and have all their property confiscated; and the other deprived the ejected priests of their pensions, and in certain cases made them liable to imprisonment for two years,

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petitions into consideration; and the tenth of August was fixed for the purpose of determining the important question, whether kingly authority should be any longer retained in France.

On the morning of that day, an armed mob, instigated by the heads of the Jacobin club, made an attack upon the Thuilleries, and being joined by the national soldiers, overpowered the Swiss guards, most of whom were killed in the conflict, or afterwards murdered in cold blood, together with all the servants and attendants of the royal family, found in the palace*. The king and queen, with their children, and the princess Elizabeth, at the beginning of the tumult, to avoid assassination, repaired to the hall of the assembly, who were then sitting. The assembly, instead of taking measures for stopping this outrage, and apprehending the offenders, after a short interruption, returned to the discussion in which they were engaged; and it was the lot of the king, after being detained 14 hours, in a state of the utmost anxiety, to hear a decree passed, by which he was suspended from the exercise of his royal functions, till a national convention could be assembled, for the purpose of finally deciding, whether he should be restored or dethroned. In the mean time, the king and queen were ordered to be confined close prisoners in the Temple†, whither they were immediately conducted, and a provisional executive council was appointed, consisting of six members.

* Petion, in a printed speech, afterwards confessed, that this insurrection was planned by the Federates, and their secret directors. The whole number of persons on both sides, who lost their lives this day, was supposed to be between four and five thousand.

† A prison so called.

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Thus was the new constitution of France overturned by one of its branches, which had three times * sworn to maintain it, through the prevalence of the Jacobin party, in less than a twelvemonth after it had been accepted by the king; and on its ruins was established the reign of terror and violence. All persons of respectability and consideration, supposed to be attached to the king or favorable to his cause, who could not find the means of leaving the kingdom, were seized and committed to prison. The lands of emigrants were confiscated. The ejected priests were banished. The vessels, images, and other moveables in the churches, were sent to the mint to be coined into money; and the church bells and public statues were converted into cannon. Domiciliary visits were instituted; and under the pretence of searching for arms, private houses were plundered by municipal officers; and their owners, if suspected of being aristocrats, arrested and imprisoned, or put to death. All regard to property, liberty, and life was equally laid aside.

The national assembly, having learnt, that Austria and Prussia were preparing to invade France, first declared the country to be in danger, and afterwards decreed, that the citizens should enroll themselves into volunteer regiments; and a considerable number of persons being collected in the Champ de Mars for that purpose, on the 2d of September, voices were heard in the crowd, exclaiming, that they were ready to march against their foreign enemies, but that they must first purge the nation of its domestic foes. This was the signal for

* At its first meeting on the 3d of October 1791, and on the 7th and 14th of July 1792.

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one of the most horrible and extensive massacres recorded in history. Armed assassins, prepared for the atrocious deed, rushing forward, hastened in a body to the different prisons in succession, all of which were crowded in consequence of the late arrests; and the prisoners, being brought forth, after a sort of mock trial of a few minutes, were condemned, and instantly put to death *: and during the confusion caused by these unparalleled proceedings, which continued the whole of that and of the following day, without intermission or resistance, many private assassinations took place in various parts of the city. It is difficult to ascertain the precise number of persons who perished on those two days, but there is reason to believe that it amounted to several thousands †. The national guards were all ready at their respective posts; and as no one ordered them to move, it is impossible not to conclude, that their commanding officers, and also the provisional government, connived, at least, at these dreadful and infamous murders—perhaps we may go farther, and affirm, that neither the attack upon the palace on the 10th of August, nor the massacre of the prisoners on the

* The following is the description of these proceedings by Garat, who was himself at this time minister of justice. "En deux ou trois interrogatories, en deux ou trois reponses, toute cette espèce de procedure est accomplie; l'arrêt de vie ou de mort est prononcé. Les executeurs sont là à coté des juges; des mains des uns les condamnès passent sous la hache des autres. Là, les juges et les bourreaux, le tribunal et l'echaufaud, la vie et la mort, tout est tellement rapprochè que tout paroit se confondre. Tandis qu'un prisonnier est jugè, vingt autres sont executès; les cris, les hurlemens de ceux qu'on egorge, etouffent les voix de celui qui se justifie."

† Even the authors who wish to palliate the horrors and atrocities of the French revolution, acknowledge, that 1,085 persons were murdered on those two days at Paris; but this number is certainly far beneath the truth.

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2d and 3d of September, was the sudden and tumultuary act of an ungovernable populace, but that both were the preconcerted plans of the sanguinary rulers in France, executed by hired ruffians*; especially, when we consider, that similar atrocities were perpetrated in several provincial towns†, between the 4th and 16th of September, without any opposition from the municipal authorities, or national guards, of the respective places‡; and that no serious attempt§ was made either in the capital or in the provinces, to discover and punish the authors of these abominable crimes. Indeed, soon after the massacres at Paris, the municipality addressed a letter to the other municipalities in France, in which they acknowledged, that they had upon this occasion been under the necessity of having recourse to the power of the people, and that the national convention had borne honorable testimony to their conduct; and therefore they called upon the departments to give their sanction to this indispensable act of justice. This letter was signed by the administrators of the committee of public safety, sitting in the house of the mayor of Paris, and countersigned by the minister of justice, who was also a member of the executive council.

* Not more than 200 persons were supposed to be concerned in these massacres, in a city containing 600,000 inhabitants, with 30,000 men under arms.

† Particularly at Orleans, Meaux, Lyons, and Versailles.

‡ At Versailles, 30 assassins murdered all the state prisoners, in the presence of 1,500 national guards.

§ No attempt whatever was made by the national assembly. The national convention appointed a committee to inquire into the facts relative to the death of these prisoners, but no report was made or called for.

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In the mean time, the duke of Brunswick conducted the allied armies of Austria and Prussia* into France; and relying on the assurances of the emigrants, that their countrymen would receive him as a friend and deliverer, he directed his march towards Paris. The inhabitants, however, on the contrary, threw every difficulty and impediment in his way; and by a slow progress, in the course of which he took several fortified towns, he reached the borders of Champagne, where he met with a severe repulse on the 20th of September. Finding it impossible to advance any farther, on account of the force opposed to him, and the sickness which prevailed among his soldiers, and unable to obtain provisions in a country so hostilely disposed, about ten days afterwards he was under the necessity of retreating; and before the end of October, he had relinquished all the places he had taken, and his troops had entirely evacuated France.

The result of this expedition, which the royalists boasted would easily affect a counter-revolution, afforded no small exultation to the French patriots; and in other parts their triumph was still greater. Upon the Lower Rhine, general Custine took Spire, Worms, Mentz, and Frankfort†; and Dumourier, after the decisive battle of Gemappe on the 6th of November, made himself master of Brussells and the whole of the Austrian Netherlands, except Luxembourg. War having been declared by the national assembly against Sardinia,

* On the 6th of July, the king of France informed the national assembly, that the king of Prussia was marching with 52,000 troops to join the Austrian army. The allied armies entered France on the 21st of August.

† Frankfort was retaken in the beginning of December.

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on the 16th of September, general Montesquiou soon after invaded Savoy, and the whole country submitted to him without resistance. In the mean time a small French army, aided by the fleet in the Mediterranean under the command of admiral Trugnet, took Nice, Villa Franca, and the fortress of Montalban.

The national convention met on the 20th of September 1792, and it was chiefly composed of the most violent and democratic members of the two national assemblies*. The eternal abolition of royalty was immediately voted by acclamation; and France was declared to be a republic. Not contented with the former suppression of all ranks and distinctions in society, the democratic rage was now carried to such a puerile length, that even the common titles of monsieur and madame were forbidden to be used, by a formal decree, and that of citizen was substituted in their room. One of the members was highly applauded for asserting, that the religion of Jesus Christ was unfit to be tolerated in a republic, because it was a monarchical religion, and preached subjection and obedience to God; and that all altars raised to the Almighty, ought to be overturned, none being worthy of remaining but the sacred altars of liberty, nature, and reason†. The absolute predominance of the

* Two Englishmen, Mr. Thomas Paine, and Dr. Priestley, were chosen members of the national convention.

† Dupont, a distinguished member of the national convention, delivered the following speech, which was received with almost unanimous applause, and may therefore be considered as declaratory of the general sentiments of the convention. "Thrones are overturned! Sceptres broken! Kings expire! And yet the altars of God remain! Tyrants, in outrage to nature, continue to burn an impious incense on those altars! The thrones that have been reversed, have left these

Jacobin faction in the convention, was now manifest, and their conduct was such as might be expected from men, who had usurped the government of a great and powerful nation, and who acted under the influence of principles, which stimulate

altars naked, unsupported, and tottering. A single breath of enlightened reason will now be sufficient to make them disappear. And if the human race is under obligations to the French nation for the first of these benefits, the fall of kings; can it be doubted, but that the French people, now sovereign, will be wise enough, in like manner, to overthrow those altars, and those idols, to which those kings have hitherto made them subject. Nature and Reason, these ought to be the gods of men. These are my gods. Admire Nature—cultivate Reason. And you, legislators, if you desire that the French people should be happy, make haste to propagate these principles and to teach them in your primary schools, instead of those fanatical principles which have hitherto been taught. The tyranny of kings was confined to make their people miserable in this life;—but those other tyrants, the priests, extend their dominion into another, of which they have no other idea than of eternal punishment; a doctrine which some men have hitherto had the good nature to believe. But the moment of the catastrophe is come—all these prejudices must fall at the same time—we must destroy them, or they will destroy us. For myself, I honestly avow to the convention, I am an Atheist. There is another consideration.—Paris has had great losses. It has been deprived of the commerce of luxury; of that factitious splendor which was found at courts, and invited strangers hither. Well! we must repair these losses. Let me then represent to you the times that are fast approaching, when our philosophers, whose names are celebrated throughout Europe, Petion, Sieyes, Condorcet, and others, surrounded in our pantheon, as the Greek philosophers were at Athens, with a crowd of disciples, coming from all parts of Europe, walking like the Peripateticks, and teaching, this man the system of the universe, and developing the progress of all human knowledge; that, perfectioning the social system, and shewing in our decree of the 17th of June 1789, the seeds of the insurrections of the 14th of July, and the 10th of August, and of all those insurrections, which are spreading with such rapidity throughout Europe, so that these young strangers, on their return to their respective countries, may spread the same lights, and may operate, for the happiness of mankind, similar revolutions throughout the world."

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the worst passions to an uncontrolled operation, setting at defiance every restraint, human and divine.

The success of the French armies inspired the convention with the idea of universal conquest; and emboldened them to make an open avowal of their design to carry their revolutionary system into other countries. On the 19th of November, they passed the famous decree, by which they declared, in the name of the French nation, "that they will grant fraternity and assistance to all those people, who wish to procure liberty; and that they charge the executive power to send orders to their generals to give assistance to such people, as have suffered, or may suffer, in the cause of liberty." This decree may justly be considered, and was indeed intended, as an invitation to the subjects of every state to revolt and rebellion, and as a promise to support any attempt to overturn the existing government; and to make it universally known, it was ordered to be translated and printed in all the European languages*. They pronounced Savoy to be for ever united to France; and the Netherlands to be for ever dismembered from the Austrian dominions, under the pretended character of independence, although occupied by French armies, and in reality designed to be annexed to France; and in the whole of their proceedings, they manifested a fixed determination to subvert the internal government, and to attack the rights and possessions, of every nation in Europe.

Their principal attention, however, was directed to the destruction of the amiable and unfortunate Louis, which they

* Brissot afterwards called this decree absurd and impolitic; and acknowledged, that it justly excited uneasiness in foreign cabinets.

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considered essential to the permanence of their own authority, but which they did not venture, even in the plenitude of their power, to attempt, without some regard to accustomed forms in criminal prosecutions. Regular charges were therefore produced against him; and he was permitted to have the assistance of counsel. A day was appointed for his trial before the convention, although it was not vested with any judicial authority, and the person of the king was declared to be inviolable by that constitution, the infringement of which was one of his alleged offences. All who knew the character of his judges, a committee of whom were also his accusers, anticipated the result. On the 19th of January 1793, he was condemned to suffer death*; and on the 23rd, the sentence was carried into execution.

It is extremely useful to trace the French revolution from its commencement to this fatal catastrophe, to mark the series of weak and ill-concerted measures, by which a degree of financial embarrassment, at first within the reach of an easy remedy, was allowed to lead to every species of individual suffering and national calamity—the imprudent concessions of the king and his ministers, in 1789, to the importunate demands of turbulent demagogues—the inconsiderate co-operation of well-intentioned men with persons, who aimed at the most mischievous purposes—the gradual destruction of all antient institutions, connected with regal government—the extinction

* Of the members of the convention, 366 voted for death absolutely; 23 for death, but leaving it hereafter to be discussed, when the execution should take place; eight for death, and a certain delay or respite; two for death at the peace; 319 for detention; and two for detention in irons.—It will be observed, that not a single member voted for acquittal.

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of every sentiment of loyalty towards a mild and beneficent monarch, in a people, for centuries distinguished by veneration for their sovereigns—the numerous instances of savage barbarity, in a country long admired for its superior elegance and refinement—the increasing violence of each successive national assembly, as well as of the prevailing parties and individuals—the utter annihilation of even the forms of administrative justice, and the consequent insecurity of life and property—the demolition of every part of the ecclesiastical establishment, and the persecution and exile of all the clergy, who refused, by a fresh oath, to apostatize from the faith they had sworn to maintain—the boundless and dangerous influence of political clubs and societies, acting in concert with each other—the progressive seduction of the middle and lower ranks of the community, by an inundation of books, pamphlets, and journals, calculated to mislead the understanding, inflame the passions, and deprave the heart, till the minds of men, released from all apprehension of punishment in this world, and from all fear of retribution in the next, were prepared for the commission of crimes unparalleled in the history of the world. The French revolution, thus considered, holds out an awful warning to governments, how they neglect, and to all men of fair intentions, and of weight in a country, how they encourage, the slightest tendency to resist the constituted authorities, or the first attempt to unsettle and change what has been long established, under the specious pretence of correcting abuses, bringing things back to their supposed primitive purity, or attaining an imaginary standard of perfection.

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Many of the deputies of the states general, equally averse from anarchy and despotism, originally engaged in measures hostile to the court, not from a desire to overturn the monarchy, but merely to reform what was amiss in the existing government, and to reduce the power of the king within just and proper limits. But unfortunately, in pursuing these justifiable and salutary objects, they in fact forwarded the views of persons of far different principles, with whom they had imprudently associated themselves, and whose violent and mischievous conduct, when it broke out, they were utterly unable to restrain. They saw their error too late; and were among the earliest victims to that system, which they had undesignedly contributed to establish.

If any one had been rash enough to call upon the constituent assembly, at its first formation, to take away the life of Louis the 16th, the proposal would have been rejected with indignation and horror, and very generally reprobated throughout the kingdom; but in less than four years, all respect and reverence for the authority and person of the king having been gradually destroyed, his death was deliberately voted, and the sentence publicly carried into execution, without any commotion or disturbance. The decided republicans did not venture even to mention the establishment of their favorite form of government, at the commencement of the revolution, being aware that the idea of so violent a transition would have excited alarm and disgust, and that many preparatory measures were necessary to the accomplishment of their object; but in 1792 kingly power had by progressive steps become so unpopular and odious, that the eternal abolition of monarchy was unanimously

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decreed by the national convention, and welcomed as a public blessing, both in the capital and in the provinces. Nor was the smallest effort made by the people of France to assist in restoring their king to his throne, when the combined armies of Austria and Prussia were marching towards Paris, avowedly for that purpose. This quick and astonishing change is to be ascribed to the powerful operation of Jacobinical principles, which had in the interval been circulated with so much industry, and which, by undermining the foundations of all religious, moral, and social obligation, have been the baneful source of greater atrocities, and of more extensive and lasting misery to the human race, than can be traced to any other single cause. It may indeed be truly said of Jacobinism, that it created a new character in man. "This monster," says a writer who had been an eye witness of its effects in France, "was unknown in the world till the present time. It took upon itself to carry on the revolution: it directed, it executed all the operations of it, all the explosions, all the outrages: it every where appointed the most active leaders, and as instruments employed the profligates of every country. Its power far surpassed that which has been attributed to the inquisition, and other fiery tribunals, by those who have spoken of them with the greatest exaggeration. Its centre was at Paris; and its rays formed by particular clubs in every town, in every little borough, overspread the whole surface of the kingdom. The constant correspondence kept up between those clubs and that of the capital, or to use their own expression, between the affiliated popular societies and the parent society, was as secret and as speedy as that of free masons. In a word, the Jacobin clubs

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had prevailed in causing themselves to be looked up to as the real national representation. Under that pretence, they censured all the authorities, in the most imperious manner; and whenever their denunciations, petitions, or addresses failed to produce an immediate effect, they gained their point by having recourse to insurrection, assassination, and fire. While Jacobinism thus subjected all France to its control, an immense number of emissaries propagated its doctrines among foreign nations, and prepared for it new conquests*."

I AM next to enquire into the relative conduct of the British and French governments towards each other, while the events, which have been just related, were taking place, and into the effect which those events produced in this country; that a just idea may be formed of the origin of the war, which broke out between Great Britain and France, soon after the murder of the unfortunate Louis.

In giving an account of the conference at Pilnitz, and of the manifesto issued by the emperor and the king of Prussia, it was noticed, that of all the courts, to which application was then made, that of London was the only one, which refused to join in the proposed confederacy. The emperor's own words to the marquis de Bouillè were, "England is determined to observe the strictest neutrality;" an incontrovertible testimony, that the ministers of this country were resolved not to interfere in the internal affairs of France; and when the king of France soon after formally notified to the different courts of Europe, his acceptance of the new constitution, the king of

* Bertrand de Moleville.

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Great Britain immediately sent an answer in terms of studied caution and respect, without expressing any opinion upon the change which had taken place, and plainly indicating a desire to avoid every ground of offence. Upon the same principle, Mr. Pitt, in October 1791, refused to comply with a very pressing application from M. de Calonne, to assist the French emigrant princes, who were then assembled at Coblentz, with the loan of three or four hundred thousand pounds, to enable them to execute a plan, which they had in contemplation, of invading France, for the purpose of effecting a counter-revolution.

The doctrine of the universal rights of man, and of the indefeasible claim to freedom in every part of the human race, having found its way into St. Domingo, produced, as its natural fruit, a spirit of turbulence and insubordination among the negroes, which was greatly promoted by the secret instigation of the emissaries of a society at Paris, called Amis des Noirs; and at length, towards the end of the summer 1791, a dreadful insurrection took place, in which many hundred lives were lost. The town of Cape François was surrounded by a formidable army of these insurgents; and the inhabitants had neither a sufficient quantity of arms and ammunition to repel them, nor of provisions to support a long blockade; and to obtain a timely supply from France was impossible. In this state of distress the governor applied to the governor of Jamaica* for assistance, who immediately dispatched three frigates with arms, ammunition, and provisions, which proved the means of saving that valuable island

* The Earl of Effingham.

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to France. As soon as these circumstances were known in Europe, the British ambassador was directed to signify to the court of France, that the king his master highly approved this conduct of the governor of Jamaica. These proceedings were the more generous, and more clearly evinced the friendly disposition of the British administration, as a great part of the white inhabitants, highly incensed against the national assembly, to whose sentiments and declarations they justly ascribed the insurrection of the negroes, had formally offered to surrender the island to any English armament, which might be sent for that purpose*. But the British ministers, as I have before had occasion to observe, were influenced by principles very different from those, which directed the counsels of France at the commencement of the American war; and declined taking any advantage of the dissatisfaction which prevailed in this important colony towards the mother country.

The king, at the opening of the session in January 1792, informed parliament, that the friendly assurances, which he received from foreign powers, and the general state of affairs in Europe, seemed to promise to his subjects the continuance of the present tranquillity; and conformably to this declaration, Mr. Pitt, in the course of the session, introduced bills for the repeal of taxes to the amount of 200,000*l.* a year; proposed a considerable reduction in the naval and military establishments; and acquainted the house of commons, that there was no occasion for the renewal of the Hessian subsidy,

* I have found among Mr. Pitt's papers, a letter from the president of the assembly, to Mr. Pitt, containing the same offer.

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which had just expired. These measures, all of which received the sanction of parliament, most indubitably prove, that the British cabinet had no intention to take any part in the war, then breaking out upon the continent; and that Mr. Pitt entertained no suspicion, that the French themselves would disturb the repose of Great Britain. He had not the remotest idea, that France, upon the point of being invaded by the most formidable powers of the continent, convulsed also as she was by domestic dissensions, and laboring under the most pressing pecuniary embarrassments, would wish to add to the number of her enemies, by an unprovoked attack upon this country. Himself determined, that no just ground of complaint should be offered by Great Britain, he concluded that France would find full employment for her whole military force and all her resources, in resisting Austria and Prussia; and whatever might be the issue of the contest then commencing, or of the crisis with respect to her internal government, which was evidently fast approaching, it appeared to him, that a long period must ensue before she would be in a state to cause fresh annoyance to her neighbors. He farther flattered himself, that England's forbearance to take advantage of the distress and difficulties of France, would have a favorable effect upon the future government of that country, whatever form it might assume. Such were the speculations of Mr. Pitt, when he said on the 21st of February 1792, "It is not unreasonable to expect, that the peace, which we at present enjoy, should continue at least fifteen years, since at no period of the British history, whether we consider the internal situation of this kingdom, or its relation to foreign powers, has the prospect of war

been farther removed than at present." Mr. Pitt's favorite objects had for some time been, and still continued to be, the diminution of the national debt, and the abolition of taxes, both of which were incompatible with foreign war; and it seems scarcely possible to conceive, that he, or any other man, would have spoken in the most glowing terms of the advantages to be expected from the continuance of peace, at a time when he himself intended to put an end to the enjoyment of those advantages, by voluntarily entering into a war; or when he considered it in any degree probable, that France would of her own accord commence hostilities against this country. But the French revolution was destined to defeat all human expectation, to baffle all human sagacity. Who that contemplated the anarchy and confusion prevailing in France in 1792, and the variety of difficulties with which she was then struggling, would have imagined, that in a very few years, she would have the means of carrying the evils of war, in their most aggravated shape, into every part of the continent, and of overturning, or shaking the foundation of, almost every throne in Europe? Had, however, Mr. Pitt penetrated into the views and designs of the rulers of France, had he foreseen what really happened, he must have felt it his duty, instead of reducing the establishments of our army and navy, to place the country in a state of preparation to meet the enemy; and that very preparation might have been construed into an indication of meditated hostility on his part, and have weakened one of the proofs, upon which it is now pronounced, that the French were the unprovoked aggressors, and that it was impossible for Great Britain to have avoided war, without a sacrifice of her honor,

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and of her independence. Mr. Pitt was indeed a sincere and determined lover of peace, which was essential to all the plans he had most at heart; and he persevered in his pacific system, till he was compelled to abandon it by the most imperious necessity.

Though all the recent measures and speeches of ministers announced the probability of the continuance of peace, the declaration of war by France against Austria, on the 28th of April, caused a depression in our funds; and it was even reported, that press warrants were issued; but Mr. Pitt took the earliest opportunity of publicly declaring, that the British government had resolved to have no concern in the approaching contest; and it was soon known, that there were no warlike preparations in any of our ports. This additional proof of England's remaining neuter, was acknowledged in the most explicit terms by the French minister in London, in his dispatches to his own court; and the king of France returned thanks to the king of Great Britain, for not having become a party to "the concert formed by certain powers against France*."

On the 25th of May, the king, having received an application from the court of Versailles, grounded upon an article in the commercial treaty, published a proclamation, strictly forbidding all his subjects to serve under any of the enemies of France. The ready and friendly manner, in which this request was attended to, and "the sentiments of humanity, of justice,

* The king of France's words were, "Je vous remercie de ce qu'a l'epoque du concert que quelques puissances ont formé contre la France, vous ne vous etes lié avec elles."

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and of peace, so clearly manifested" upon this occasion, were also acknowledged in a note from the French minister in London to the foreign secretary of state.

In consequence of the deposition of the king of France on the 10th of August, the British government, on the 17th of that month dispatched a letter of recal to earl Gower, the British ambassador at Paris. The new constitution of France vested the executive authority in the king; and of course, when Louis was deposed, lord Gower's credentials, which were addressed to him, ceased to be valid. The same decree, which deprived the king of the exercise of his functions, ordered also the dissolution of the national assembly, the election of a national convention, and the appointment of a provisional or temporary executive council. There was therefore at this time no permanent authority in France, either legislative or executive, and no person, or set of persons, to whom an ambassador's letters of credence could with propriety be addressed, or with whom any binding or lasting treaty or contract could be made. What one party ratified to-day, another might dissolve or violate to-morrow. This was so generally felt to be the case, that all the ambassadors from the other courts of Europe were likewise recalled. How long the present anarchy might continue, whether the combined armies would succeed in restoring Louis to his throne, or what would be the form of government ultimately established, it was impossible to foresee. In this unsettled and uncertain state of things, it was thought most prudent by our ministers not only to suspend all diplomatic communication with France, but to remove from thence the person, who had lately been invested with the character of

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ambassador, which was now at an end, as his residence at Paris in a private capacity, might have excited jealousy and distrust, or at least might have afforded a pretence for suspicion and complaint against the British cabinet. This step was, under present circumstances, most conformable to those principles of neutrality on which the British government had uniformly acted since the commencement of the revolution; and best calculated to evince a determination not to interfere in the internal affairs of France. It was to leave the French to their own deliberations, and silently and passively to wait the result, without shewing favor or predilection to any of the parties, which were struggling for the ascendancy. That the grounds upon which lord Gower was required to quit France might be distinctly understood, he was directed by his government to send his letter of recal, in which they were detailed, to the French minister for foreign affairs, for the purpose of its being communicated to the provisional executive council; and an answer was returned in their name, expressing satisfaction at the renewed assurance of neutrality, which the letter contained, and acknowledging, that the French nation had good reason to hope, that the British cabinet would not depart from the justice, moderation, and impartiality, which it had hitherto manifested. Their "confidence in this respect," it was said, "was founded on facts." It is evident, therefore, that the recal of lord Gower, although afterwards enumerated among the causes, which induced the convention to declare war against this country, was not considered at the time by the executive council, as any breach of neutrality; but on the other hand

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they expressly admitted, that he " had left a satisfactory testimony of the sentiments of his court."

In the course of the summer repeated applications were made by the courts of Vienna and Berlin to the court of London, to join in the confederacy for the restoration of Louis; but they were all rejected without a moment's hesitation. Mr. Pitt, in a private letter dated August 31st, 1792, says, " An account is arrived from Brussells, of the surrender of Longwy to the duke of Brunswick, which, as far as it goes, is a favorable circumstance. The particulars of his plan are not yet at all known, nor is there much ground to conjecture as to his prospect of success." This letter proves, that Mr. Pitt had no confidential communication with the courts of Vienna and Berlin, relative to their proceedings against France; and that he so studiously avoided every degree and species of interference, that he was not acquainted with their plan of the campaign.

Although the system of neutrality was thus strictly adhered to by the British cabinet, and even acknowledged by the government of France, the conduct of the national convention and of the executive council, very soon after the recal of lord Gower, so plainly indicated a hostile disposition towards this country, that it could not but excite the attention of our ministers, and weaken Mr. Pitt's hope of the continuance of peace. It appeared from a report made by Monge, the marine minister, on the 23d of September 1792, that the French had then actually at sea 21 ships of the line, besides 30 frigates, and that 34 ships of the line and 23 frigates were ready to be

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commissioned upon the shortest notice. These naval armaments and preparations could have no reference to the war with Austria and Prussia, neither of which was a maritime power, nor were they rendered necessary by any British armament, as our naval establishment was lower than at any period since the peace: there was therefore no cause to which they could be attributed, but an intended rupture with England.

On the 16th of November the executive council came to a determination to open the Scheldt, the exclusive navigation of which was secured to Holland by a variety of treaties, guaranteed by France herself, as well as by the other powers of Europe; and it was well known, that a treaty of alliance, entered into in 1788, subsisted between Great Britain and Holland, by which they agreed to assist each other, in case the territories or rights of either were attacked. The opening, therefore, of the Scheldt would not only be a gross violation of treaties, and an act of direct hostility against Holland, upon a point of the utmost importance to her commercial prosperity, but it must also have been foreseen, that it would inevitably involve France in war with this country; and consequently the determination to take this step, which was unequivocally avowed, and for which preparations were actually making, was a proof, that the French did not wish or intend to remain at peace with Great Britain.

This proof was also corroborated by other circumstances, which took place at the same period, and which will also shew the conduct of the disaffected in England, after the deposition of Louis. The abolition of royalty in France, and the success of the French arms, afforded great exultation to the democratic

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societies in this kingdom; and several of them hastened to offer their congratulations to the national convention *. The London corresponding society, and four other societies, in a joint address, voted by 5,000 persons, represented the English, as nearly reduced, by an oppressive system, and gradual encroachments, to that abject slavery, from which the French had so gloriously emerged. The French, they said, were already free, and Britons were preparing to become so. They assured the convention, that they considered the cause in which the French were engaged, as intimately connected with their own; that they were eager to behold freedom triumphant, and man everywhere restored to the enjoyment of his just rights; that they reprobated the neutrality of England, in the present struggle of liberty against despotism, as a national disgrace; it being the duty of Britons to countenance and assist, to the utmost of their power, the champions of human happiness, and to swear inviolable friendship to a people proceeding on the plan which the French had adopted. Addresses were presented from various other English societies, and from the British and Irish citizens then at Paris †, congratulating

* It is remarkable, that the English was the only nation which presented addresses of congratulation to the three successive assemblies of representatives of the French people. So early as the 14th of August 1792, several Englishmen appeared at the bar of the national assembly, and congratulated the French upon the energy which they had displayed on the 10th of that month, that is, in murdering the Swiss guards, and deposing the king. On the 13th of December of the same year, Lord Grenville said, in the house of lords, that he held in his hand, no fewer than ten addresses to the national convention from subjects of Great Britain.

† This address was voted by acclamation, at a festival for celebrating the victories of the French armies; and the following toasts among others were given;—"The republic of France, founded on the rights of man—The abolition

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the national convention on the resolution of the 10th of August, on the successful exercise of the right of insurrection, and on their other triumphs of liberty; all which events afforded so favorable an omen to nations desirous of emancipating themselves from the yoke of governments, which were the offspring of the combined frauds of priests and tyrants. They stated, that their own political principles coincided with those of the national convention; that there now prevailed a spirit of universal inquiry into the complicated abuses of government, and the simple means of reform, in consequence of which, innumerable societies were forming in England, Scotland, and Ireland, for putting an end to tyranny and slavery; that the example of France had rendered the science of revolution easy; that nations, roused from their lethargy, and following France in her career of improvement, would arm themselves, and reclaim the rights of man, with an irresistible voice; that the French were not fighting for themselves only, but for the whole human race, and that they hoped the troops of liberty would not lay down their arms, while either tyrants or slaves * remained; and that addresses of felicitation might soon be expected to cross the sea, to a national convention in England,

of hereditary titles in England (sir Robert Smith, and lord Edward Fitzgerald, who were present, renounced their titles)—The patriotic societies of Great Britain and Ireland; with those who have contributed to enlighten the people, Priestley, Fox, Sheridan, Barlow, Mackintosh, Cooper, Tooke, and Paine—The approaching national convention of Great Britain and Ireland—May revolutions never be made by halves."

* It is always to be remembered, that in revolutionary language, tyrants mean kings, however limited their authority; and slaves mean their subjects, however mild the government under which they live.

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where a reform of parliament, their present object, would soon lead to the establishment of a republic, their ultimate end. The president, in his answers, assured the deputies, who presented these addresses, that the general wish for the liberty of nations expressed in them, would be realized; that principles were waging war against tyranny, which would fall under the blows of philosophy; that royalty in Europe, was either destroyed, or on the point of perishing on the ruins of feudality; that the declaration of rights, placed by the side of thrones, was a devouring fire, which would consume them; that the defenders of French liberty would, one day, be the supporters of English; that the moment could not indeed be distant, when the people of France would offer their congratulations to a national convention in England*; that nature and principles were drawing together the French and English nations; and that the voice of friendship would soon resound through the two republics.

While the sentiments expressed in these addresses proved beyond a possibility of doubt, that there were now, numerous societies of men in this kingdom, ready to overturn its constitution; the answers of the president, coupled with the degree of the 19th of November, and with the naval armament, as plainly proved, that any attempt of that kind would be forwarded and assisted by the present rulers in

* Several of the journals published at Paris, and particularly one under the conduct of Condorcet, asserted, that the people of England were determined to shake off hereditary succession, and to establish a convention, as the only genuine organ of representation. The same person, in an address to the Batavians, as he called the Dutch, said, "George the third sees with anxious surprise, that throne totter under him which is founded in sophistry, and which republican truths have sapped to its very foundation."

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France, not merely by means of those secret arts which had been long practised, but by open force.

Though these societies, which were daily encreasing, in general professed to aim at parliamentary reform only, it was soon manifest, that they had other views and designs. Their proceedings gradually became more factious and daring, under the guidance of experienced French agents, who were amply supplied with money*, for the purpose of corrupting and seducing the people. Riots and disturbances took place in many populous districts, of so serious a nature, that they could not be quelled without the aid of military force; and there appeared a general tendency among the lower ranks, to insubordination and resistance of authority. The royal proclamation, and the unanimous address of the two houses of parliament, although at first they seemed to repress the turbulent spirit against which they were directed, did not produce any lasting effect; and Mr. Pitt became convinced of the necessity of opposing a more powerful check to the progress of revolutionary principles, as well as of taking some precautionary steps, in consequence of the hostile disposition manifested by the national convention. He had, however, hoped, that these measures might have been postponed till after Christmas, with which view parliament had been prorogued to the 3d of January, and a farther prorogation was intended; but the unex-

* Brissot said, that "the republicans never ceased to assert, that to ensure success they must have money for secret expenses, partly for the purpose of dividing the cabinets, and partly for the purpose of exciting the people against their tyrants;" and he acknowledged, that before the declaration of war, 25 millions of livres (more than a million sterling) had been sent to England from the national treasury of France.

pected success of the French arms caused such a sudden and unfavorable change in the state of affairs in France, and gave such spirits and encouragement to the Jacobins in England*,

* The following letter from a military officer, dated Nov. 28, 1792, stationed at Sheffield, will give some idea of the state of the manufacturing districts at that time: "You ask me about the disposition of the people here: I had an opportunity of seeing one of their rejoicing days upon the success of the French, which took place yesterday. They began the day with roasting an ox whole, which was ready by one o'clock, and devoured very soon, the number collected being nearly ten thousand. They then formed into a regular procession, with French national colours flying, and a picture at the end of a pole, elevated in the air; this picture represented Dundas and Burke stabbing Liberty, who was falling under their daggers, and Burke treading on the swinish multitude. This procession came forward to the head inn, where they halted and formed a lane for eleven cannon, which were drawn up and fired. A man then rose up into a kind of pulpit, and read a copy of verses of some length, and of the most seditious nature. Perhaps you will have them in the papers, but I remember that they would have either death or liberty, and the last line was, "Let's live like Frenchmen, or like Frenchmen die." Between each firing of the cannon, and at all those pleasing sentiments which the verses contained, there were the loudest plaudits. After this halt, they passed on, and proceeded to other parts of the town, and in the evening separated quietly. I thought a mob of such magnitude could not have been collected without committing some outrage, but I understand they had distributed hand-bills among one another, urgently desiring them not to commit any riots. This system and order, which governed them yesterday, makes them in reality much more formidable; for, though it may be a year before they attempt any thing, yet, whenever they do, they are as resolute and determined a set of villains as I ever saw, and will gain their object, if it is to be gained. They have debating societies, regular correspondence with the other towns, and have subscribed to purchase fire-arms, and are endeavoring to corrupt the soldiers. You must imagine I have a pleasant quarter here, but I do not think I shall be employed, and, if I am, I think myself equal to them, as their plans are not yet ripe, but hereafter they will rise into a formidable consequence, unless they are opposed and crushed very soon." This letter was addressed by the writer to his brother, and by him communicated to Mr. Pitt, among whose papers I found it.

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that this delay would, he perceived, be attended with the most serious danger. Having indeed now reason to think, that the French executive council had resolved upon immediate war with England; and knowing from secret intelligence, that a general insurrection was meditated, at no distant period, by the republican party of this kingdom, he determined to lose no more time, and by his advice two royal proclamations were issued on the first of December, the one for embodying a part of the militia, and the other for summoning parliament to meet on the 13th of that month*.

In the mean time, the exportation of corn to France was prohibited; steps were taken for augmenting the army and navy; the guard at the bank was encreased; the tower was put into a state of defence; several regiments were assembled in the neighborhood of the metropolis; soldiers were stationed in the suspected districts of the country; and ministers used all the means in their power to excite the vigilance and activity of magistrates, and to afford them support within their respective jurisdictions.

Though the growing disaffection among the inferior classes of every description, and their propensity to tumult and violence, had for some time been so evident and so alarming, as to excite in the minds of all well-disposed persons, the most anxious apprehensions for the public tranquillity and the safety

* The King is empowered by 26 Geo. 3, c. 107, to call out the militia during a prorogation, in case of invasion or insurrection; but it is provided, that whenever the militia was so called out, parliament should meet within 14 days, although it should happen to stand prorogued to a more distant time, which was the case at present; of course a fresh proclamation for summoning parliament was necessary.

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of the constitution, it was very justly believed, that a great majority of the nation were warmly attached to the existing form of government, and fully aware of the risque, which must ever attend political innovation. But it was obvious, that if those, who had imbibed revolutionary principles, though comparatively few in number, were left to carry on their plans without opposition or control, the worst consequences must inevitably follow*; their unremitting assiduity, their cordial co-operation, and their connexion with France rendering them a truly formidable body. It was acknowledged, that the danger with which the state was now threatened, arose chiefly from the seditious societies established in most of the large towns and populous districts; and it was wisely thought, that the most effectual mode of counteracting this evil would be, by societies of an opposite character, by associations of persons, who were desirous of averting from this country, the confusion and misery which had been experienced in France. The idea originated with Mr. Reeves†; and it was so highly approved by all to whom it was communicated, that he was induced to announce by public advertisement, a meeting at the Crown and Anchor tavern, on the 29th of November, for taking this important subject into full consideration. The meeting was most numerously and respectably attended; and it was unanimously agreed to form an association, the objects of which were declared to be, to defend the laws and constitution; to

* Brissot, who must be acknowledged to be good authority upon such a subject, said, that "revolutions were made by minorities."

† Mr. Reeves had been chief justice in Newfoundland, from whence he was lately returned.

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preserve liberty and property against republicans and levellers; to assist the civil magistrate, in preventing or suppressing tumults and riots; and to supply cheap books and pamphlets, calculated to undeceive those who had been already misled, and to inculcate the duty and expediency of industrious, quiet, and peaceable demeanor. This seasonable and judicious association roused the dormant spirit of loyalty, and infused a new energy into the public mind. Its numbers rapidly encreased; and its beneficial effects were quickly experienced throughout the metropolis. Similar institutions were gradually formed with the same success, in different parts of the kingdom; and a change from supineness and despondency to exertion and confidence, was every where visible. The peaceable had a rallying point to resort to for protection and security; the disaffected were intimidated and restrained; and the hands of government were materially strengthened at a moment, when nothing but the vigorous execution of the laws could save the country from ruin. It has rarely happened, that any private individual has so essentially contributed to the preservation of public tranquillity, at a crisis of imminent danger, as the author of these loyal associations.

Mr. Pitt has sometimes been censured for not giving open support to the association when first formed, at the Crown and Anchor; but he considered it far better, that the measure should appear, as it really was, perfectly unconnected with government. It was, both in its origin and in its progress, the work of independent men, free from party motives and views, and influenced solely by a desire to rescue their country from impending evil. Had Mr. Pitt stood forward as its avowed

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friend and advocate, it would have been represented as a ministerial manœuvre, and have lost a great part of its weight and effect. He was not consulted upon the plan before it was proposed; but as soon as he perceived the eagerness and zeal with which it was adopted, he was convinced, that it would be productive of most signal benefit, if left to its own merit and popularity. The event fully justified his expectation, and proved that upon this occasion he acted with his usual judgement.

The meeting at the Crown and Anchor tavern was followed by a meeting of merchants, bankers, traders, and other inhabitants of the City of London, at Merchant Taylor's Hall, on the 5th of December, at which it was unanimously agreed, to sign a declaration, stating, that having perceived with the deepest concern, that attempts were made to inculcate opinions contrary to the dearest interests of Britons, and subversive of those principles, which had produced and preserved their most invaluable privileges, they felt it a duty, which they owed to their country, to themselves, and to their posterity, to invite all their fellow-subjects to join with them in the expression of a sincere and firm attachment to the constitution of these kingdoms, formed in remote, and improved in succeeding, ages, and under which the glorious revolution in 1688 was effected—a constitution, wisely framed for the diffusion of happiness and true liberty, and possessing the distinguished merit, that it had on former occasions been, and they trusted would in future be, found competent to correct its errors, and reform its abuses: their experience of improvements in agriculture and manufactures, of the flourishing state of navigation and commerce, and of

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encreased population, still farther impelled them to make a declaration of their determined resolution to support, by every means in their power, the antient and most excellent constitution of Great Britain, and a government by king, lords, and commons; and to exert their best endeavors to impress on the minds of those connected with them, a reverence for, and a due submission to, the laws of their country, which had hitherto preserved the liberty, protected the property, and encreased the enjoyments of a free and prosperous people.

The immense number, and great respectability of the persons, who signed this declaration, produced a very beneficial effect; and the example was followed in most of the large commercial towns in the kingdom.

These exertions of individuals, and the loyal spirit manifested in every quarter, added to the precautions taken by government, had great influence in preventing the insurrection intended towards the end of the year; and paved the way for the legislative measures of the ensuing session, which the situation of the country rendered indispensable.

PARLIAMENT met on the 13th of December; and the king began his speech from the throne by stating, that having judged it necessary to embody a part of the militia, he had called the parliament together within the time limited by law for that purpose.

His majesty then informed the two houses, that the seditious practices, which were in a great measure checked by the proceedings of the last session, had, of late, been renewed more openly, and with greater activity; that a spirit of tumult and

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disorder had shown itself in acts of riot and insurrection, which required the interposition of a military force in support of the civil magistrate; that the industry employed to excite discontent, seemed to proceed from a design to attempt the destruction of the constitution, and the subversion of all order and government; and that this design was evidently pursued in connexion and concert with persons in foreign countries; that, having himself observed the strictest neutrality in the present war on the continent, and uniformly abstained from all interference in the internal affairs of France, he could not see, without the most serious uneasiness, the strong and increasing indications, which appeared there, of an intention to cause disturbances in other countries, to disregard the rights of neutral nations, and to pursue views of conquest and aggrandizement; as well as to adopt towards his allies, the states general, who had been equally studious to observe the same neutrality, measures, neither conformable to the law of nations, nor to the positive stipulations of existing treaties; and that, under these circumstances, his majesty felt it his indispensable duty to have recourse to the means of prevention and self-defence entrusted to him by law, and to augment his naval and military force; being persuaded, that such exertions were best calculated to maintain internal tranquillity, and to preserve the blessings of peace.

His majesty next proceeded to express his concern at the necessity for extraordinary expences, which must, for a time, prevent the application of any additional sums to the reduction of the national debt, and retard the farther diminution of taxes; but it was a great consolation to him to reflect, that the excess

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of the actual revenue beyond the ordinary expenditure, would afford ample resources for defraying the expences of the preparations required for present and future safety.

After acquainting parliament, that the war in India had been terminated by an advantageous and honorable peace, his majesty concluded, by recommending the immediate adoption of such measures as might be necessary, under existing circumstances, for enforcing obedience to the laws, and for repressing every attempt to disturb the peace and tranquillity of the kingdom; and by promising his zealous and cordial co-operation in all their endeavors to preserve and transmit to posterity, the inestimable blessings which they themselves experienced.

The address was moved in the house of commons, by the lord mayor of London, who stated, that the information, which he had received in his official capacity, enabled him to bear testimony to the recent establishment of numerous societies in the city of London, confederated and corresponding with other societies in different parts of the kingdom, all formed under specious pretences, but really designed to propagate seditious doctrines. These societies, he said, circulated gratis a great variety of pernicious pamphlets and publications, accommodated to the meanest capacities, and manifestly tending to create discontent in the lower classes of society; and by slow, but sure, means, to alienate them from their allegiance to the king, and from their attachment to the constitution. Under these circumstances, and recollecting also the fatal consequences of insurrection and want of timely

exertion some years ago in the capital *, as well as the calamities, which had at a later period overwhelmed the metropolis of a neighboring kingdom from similar causes, he had felt himself bound in duty to put his fellow citizens upon their guard; and the decided manner in which they seconded his feeble efforts, together with the firm and temperate measures of prevention adopted by government, had restored tranquillity to the city, and in some degree awed the societies, to which he had alluded, into a change of conduct. He trusted that his majesty's ministers would, with equally good effect, apply the same provident wisdom, which they had displayed with respect to internal commotion, to the external danger which threatened the country.

In the debate which ensued, Mr. Fox declared it to be his firm opinion and belief, that there was not one fact stated in the king's speech, which was not false, or one assertion or insinuation, which was not unfounded. While he acknowledged, that the calamities, which had befallen a neighboring kingdom, ought to deter men from forming experimental governments, he denied that there had been any insurrection in any part of this kingdom to warrant the calling out of the militia. He admitted, however, that there had been riots in some places; but affirmed, that those who were concerned in them, had no design to overthrow the constitution, which they could not but know was the source of so many blessings to every description of his majesty's subjects. He said, that a miserable mockery had been held out, of dangers, which had no existence,

* In 1780.

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but which were made the pretext for assembling parliament in an extraordinary way, in order in reality to plunge the country into a foreign war—the whole was a ministerial artifice—a direct fraud, similar to the pretended popish plot in the reign of Charles the second. He thought, that under the pretext of guarding the constitution against the assaults of republicans and levellers, there was great risque of running into the opposite evil, that of increasing the power of the crown, and of degrading the influence of the commons house of parliament. It was at such a moment as the present, that the most dangerous, because unexpected, attacks, were made on the dearest rights of the people, when the minds of men were agitated by the "idiotic clamor of republican frenzy, and popular insurrection."

He was aware, he said, that his own opinions relative to the situation of the country, were unpopular, and that a general alarm did prevail; but, he asserted, that this alarm had been excited by the arts of ministers. He condemned the Crown and Anchor meeting, and other similar associations; and recommended the repeal of the test and corporation acts, the reform of parliament, and the removal of the disabilities to which the roman catholics were subject, as the best means of quieting the alarms of the people, and putting an end to all cause of complaint. He considered the associations, which had been formed in some of the parishes of Westminster, for the purpose of obtaining registers of strangers resident in them, and preventing the reading of seditious newspapers in public houses, as inconsistent with law and the constitution, and militating against freedom of opinion, and the liberty of the press. He

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admitted, that societies had circulated pamphlets containing doctrines subversive of our establishments; but he contended, that the people of England were not likely to be misled by these fanciful notions; and that the measures taken by ministers to check the circulation of these pamphlets, were themselves illegal, and contrary to the foundation of all legitimate government, the rights of the people, the rights of man. He asserted, that there was at present more danger from the exploded doctrine of despotism, than from the new-fangled theory of republicanism; although some of the societies had indulged themselves in silly and frantic speculations, and had published toasts, which he thought objectionable. In speaking of French affairs, he censured the recal of our minister from Paris; and confessed, that he had rejoiced in the failure and retreat of the duke of Brunswick, because his success would have ruined, not merely the cause of liberty in France, but of liberty in England, and the liberty of man. He called the victory at Jemappe, a glorious victory, although it had made France mistress of the Netherlands, and of course facilitated the invasion of Holland. He concluded, with a motion, for omitting all those parts of the address, which acknowledged the existence of seditious practices at home, dangerous to the constitution, and also those which related to the hostile proceedings of the French government; in the room of which, he proposed to substitute a few sentences, expressive of anxiety and concern at seeing measures adopted by the executive government, authorized by law only in cases of insurrection; and assuring his majesty, that his faithful commons would make it their first business to inquire into the causes of parlia-

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ment being assembled in a manner new and alarming to the country.

Mr. Pitt's seat in the house of commons, having been vacated, by his acceptance of the wardenship of the Cinque Ports, he was not present at this debate; but, in reply to Mr. Fox's speech, which excited no small astonishment, Mr. Dundas, and others, justly remarked, that the main point, which the house had to consider, was, whether the country was, at present, in a state of danger, or not? and that this point was not to be decided, by reasoning upon the probability or improbability, that Englishmen would wish to overturn the constitution, or, by a gratuitous denial of any co-operation, or hostile intention, on the part of France; but by a reference to facts. The facts alleged, in proof of the danger, were, the numerous societies of a mischievous tendency, established in every part of the kingdom; the addresses of these societies to the national convention, and the constant communication between their principal members, and French agents; the industrious circulation of seditious pamphlets; the actual insurrections in several specified places; and in one instance, where the tree of liberty, the emblem of French doctrines, had been planted amidst the shouts of "liberty and equality, no excise, no king;" the general alarm pervading the minds of persons of all ranks and descriptions, visible to every one not determined to shut his eyes against it, and evinced by the voluntary loyal associations, which had taken place, and by the declarations of attachment to the constitution, which had been spontaneously made, in almost every part of the kingdom; the decree of the national convention, which, under the pretence of assisting

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to give liberty to mankind, indicated an intention of disturbing the government of every country in Europe; their determination to open the Scheldt, which would be an act of direct hostility against Holland, our ally; their system of conquest and aggrandizement, exemplified by their annexation of Savoy to France, and their separation of the Netherlands from the dominions of Austria, evidently for the same purpose of uniting them to France; and their naval armament, and other symptoms of hostility, against Great Britain: these were urged as incontrovertible proofs of the danger to which our constitution was exposed, from internal disaffection, and of meditated aggression by France; the present rulers of which, in addition to the old rivalry, and inveterate enmity, of that nation, had resolved to abolish monarchy, wherever their influence could be made to extend. And it was maintained, upon grounds equally incontrovertible, that the only mode of counteracting this joint design of domestic and foreign foes, and of averting the calamities which had desolated France, and now threatened this country, would be, by active and vigorous measures of the legislature, accompanied by the timely exertions of the well-disposed parts of the community; that it was in vain to endeavor, to remove discontents, by compliance or concession, when the constitution itself was held out as a grievance, and nothing less was aimed at, than a total subversion of the present system of government; when the people were taught, that the present was the time for them to assert their rights, and, with the assistance of France, to follow the example which France herself had set them.

In the course of the debate, an appeal was made to the

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members, whether they had not, in their respective neighborhoods, perceived such strong symptoms of disaffection, as fully justified his majesty's ministers, in embodying the militia, and summoning parliament; and their opinions appeared, by the majority which rejected Mr. Fox's amendment, the numbers being 290 and 50.

This decisive majority, however, did not deter Mr. Fox from renewing his opposition to the address, when reported on the following day, and from offering another amendment, the object of which was to induce his majesty to open a negotiation with France, for the purpose of preventing war. This amendment was rejected without a division.

Mr. Fox still persevered, and brought the subject again before the house, the next day, in a more direct manner, by moving an address to the king, requesting his majesty to send a minister to Paris, to treat with the provisional executive government of France, touching such points as might be in discussion between his majesty and his allies, and the French nation. This motion, also, was rejected without a division.

Mr. Pitt was unanimously re-elected for the university of Cambridge, and took his seat on the 18th. He availed himself, of the earliest opportunity of referring to the debates of the first three days of the session, at which he had not been present; and declared his conviction, of the truth of the facts which had been stated, and his entire approbation of the arguments which had been urged, in support of the address; adding, that he knew, from unquestionable authority, the situation of the country still to be such, that the smallest spark might produce a dreadful explosion. He farther observed, that to send an

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ambassador to France *, under present circumstances, would be incompatible with the dignity of the crown, and contrary to the interests of the public; and would moreover counteract, and solemnly disclaim, those very principles, on which the whole of our conduct was founded. To solicit any thing from France, would be to solicit the eternal disgrace of this country, and must be as useless, as it would be ignominious. He heard, he said, with pleasure, of the decided opinion expressed by all parties, that if war should appear to be necessary, it ought to be carried on with vigor; but, at the same time, he assured the house, that nothing, consistent with the dignity of the crown, the internal safety of the country, and the general security of Europe, should be omitted by government, to avert the calamities of war.

THE trial of the king of France, which was at this time depending, attracted very general and anxious attention in this kingdom; and on the 20th of December, Mr. Sheridan observed, in the house of commons, that if the French nation could, in any authentic manner, be apprized of the temper and feelings of the people of Great Britain relative to the critical situation of Louis and his family; namely, that there was not a man, of any party or description, who did not deprecate, and who would not deplore, the fate of those persecuted

* Marsh asks, "what reception could an ambassador of his Britannic majesty have expected from the president of the French convention, who had received with every mark of friendship, and every token of applause, the deputies of those societies who declared their resolution of overturning the British government and constitution?" p. 168.

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and unhappy victims, should the apprehended catastrophe take place, he was confident, that the knowledge of this circumstance would produce a considerable influence, he wished he could say a successful effect, upon the public mind in Paris, and throughout France. He did not undertake to propose the mode, by which this universal sentiment of England might be expressed; but he was more and more convinced, by the latest intelligence from France, that the opportunity ought not to be omitted.

Mr. Fox concurred with Mr. Sheridan, in wishing for some interposition, or declaration, on the part of Great Britain upon this interesting subject; and added, that he too had reason to believe, that there was a disposition in France, to attend to the opinions and sentiments of this country. He suggested, therefore, as the best mode which occurred to him of promoting the purpose in question, that the house should address the king, for a communication of the words or substance of his majesty's directions to lord Gower, in consequence of which his lordship left Paris; and then, that the house, in returning thanks to his majesty for his gracious compliance with their request, should express their abhorrence of the proceedings of the national convention against the royal family of France.

Mr. Pitt approved Mr. Sheridan's idea, and also the proposal of Mr. Fox; though he confessed himself less sanguine than either of those gentlemen, as to the effect, which any vote of that house, or any feeling of the British public, was likely to have upon the ruling party in the convention; and he immediately moved an address to the king, requesting a copy of his majesty's orders to lord Gower to quit Paris, after the deposition of their most christian majesties.

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On the following day, a copy of these orders was presented to the house and read, the last clause of which was, " In all the conversations you may have occasion to hold before your departure, you will take especial care not to neglect any opportunity of declaring, that, at the same time his majesty means to observe the principles of neutrality, in every thing which regards the arrangement of the internal government of France, he does not conceive, that he departs from those principles, in manifesting, by every possible means in his power, his solicitude for the personal safety of their most christian majesties and their family. He most earnestly hopes, that his wishes in that respect will not be deceived; that the royal family will be preserved from every act of violence, the commission of which would not fail to excite sentiments of universal indignation throughout Europe."

Mr. Pitt said, that from the paper which had just been read, the house would perceive, what were the sentiments of his majesty last August, with respect to the then recent transactions in France, and the prospects then existing in that country; and which, he presumed, were the sentiments of every British heart upon the same subject What must be those sentiments now, when such rigors and cruelties had been exercised; when a spirit of the utmost barbarity had been displayed; and nothing remained to look forward to, but that dreadful and final consummation, which could not fail to excite horror and indignation! The only difficulty was, in what terms that house should express itself suitable to the occasion. Considering the unanimity which prevailed, he had, at first, coincided with the gentlemen opposite to him, in thinking, that the best mode by

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which the sense of that house could be made known, would be by a vote, which might reach the whole of Europe, and the influence of which should extend to France, and might, perhaps, there produce the effect so much to be desired. But, in turning the business over in his mind, a doubt had occurred to him, and had, since, been suggested to him by others, whether this would be the best mode of proceeding. This doubt had arisen, from reflecting, whether such a vote, which, to convey the feelings of the house, must be expressed in terms the most strong and indignant, might not, by alarming national pride and jealousy, have the effect, in that state of fury to which the minds of the French people were worked up, of hurrying on the commission of that very crime, which it was the earnest wish of the house, by their weight, to prevent. Influenced by this consideration, it appeared to him a better mode, simply to allow the paper, which had been presented, to remain upon the table of the house; and, therefore, he should make no other motion, unless he should see reason to alter his opinion, in the course of the discussion which might take place. He only farther observed, that this mode, while it guarded against the imputation of interference, would fully imply the concurrence of the house in his majesty's sentiments, and clearly shew, that they considered no confirmation or addition necessary.

Mr. Fox, Mr. Sheridan, Mr. Burke, and Mr. Windham, avowing also a change in their original wishes upon the subject, expressed their entire approbation of Mr. Pitt's present proposal; and it was unanimously adopted, under an apprehension, that a more formal declaration of the sentiments of the house might offend and irritate the ruling party in France,

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and contribute to produce the event so warmly and universally deprecated.

We have seen, that this solicitude for the fate of the unfortunate Louis, had no influence upon his cruel and unrelenting enemies. Conceiving that their favorite republic could not be firmly established, while he was alive, they had determined to put him to death; and no consideration could divert them from their sanguinary purpose.

Although in the present situation of the country, Mr. Pitt thought, that some addition ought to be made to the naval and military establishments, yet, as he was unwilling to consider war as quite inevitable, and reluctant to incur any great expence till it was absolutely necessary, the house of commons was called upon to vote only 25,000 seamen, and 17,344 land forces for the service of the following year. To these numbers no objection was made; but on the contrary Mr. Fox said, that he should readily have consented to a larger augmentation of the navy, if it had been desired by ministers.

It was evident, that while assignats circulated in this country, the French government had it in their power to raise money to any amount, which might be transmitted to France*, or employed here in encouraging disaffection and riots† It was indeed well known, that they had sent over assignats for

* Chalmers, in his estimate of the comparative strength of Great Britain, says, that in 1792, 2,900,000 ounces of silver, besides coin, were purchased in England with assignats, and sent to France; and Chaussard acknowledges, that it was intended to ruin the bank of England, by means of French assignats issued in England.

† The 25 millions of livres mentioned in a former note, were transmitted in assignats.

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both those purposes; and therefore a bill was introduced for preventing the circulation of assignats, or any paper issued by public authority in France. This bill was so obviously necessary, that it passed with scarcely any opposition.

Two other bills, equally necessary, passed with the same ease; the one for restraining the exportation of naval stores, arms, and ammunition*; and the other for preventing the exportation of corn†. These were articles, with which it would have been manifestly unwise to supply France, under present circumstances.

The revolution had caused a great influx of Frenchmen into this kingdom; by far the greater part of whom had been compelled to fly from their native country by the fear of want, persecution, and death; but others had come for the sole purpose of exciting discontent and sedition among the lower classes of our community. To the former, who were in general men of unexceptionable principles and character, and objects of the greatest compassion, it was the pride and glory of Britons to afford protection and support; but to allow the latter to remain, and carry on their mischievous plans, would have been highly criminal on the part of government. The

* On the 8th of November 1791, the national assembly passed a decree, prohibiting the exportation of arms and ammunition from France.

† The French had already adopted a similar measure, for in the whole of the year 1792, no wheat of French growth was exported from France. The French purchased wheat in England, in December 1792, at a higher price than it was sold for in the French market, with the hope of occasioning a scarcity, and thereby exciting a general discontent, and thus promoting the wished for insurrection. The scarcity of corn in France was one great cause of discontent and commotion at the beginning of the revolution.

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king was generally considered as possessing the power of sending aliens out of his dominions; but so many years had elapsed, since this prerogative had been exercised, foreigners having been permitted to resort to and reside in this country, without interruption or restraint, that the acting upon it would have been attended with material difficulty; and it was also thought expedient to subject even those emigrants, who might with safety be permitted to continue in England, to certain regulations; principally with a view, that they might the more easily be distinguished from persons of an opposite description. Ministers, therefore, determined to apply for a special act of the legislature, with provisions adapted to the particular circumstances of the present case, leaving the royal prerogative without any alteration. Accordingly, on the 19th of December, lord Grenville introduced into the house of lords, what has since been known by the name of the alien bill*. This bill enacted, that any alien, who should refuse to depart the kingdom, when ordered by his majesty, should be liable to be committed to goal, to be brought to trial, to be sentenced to suffer imprisonment for a month, and afterwards to leave the kingdom within a limited time, and if he disobeyed, to be transported for life; that every alien, who had arrived in England since January the 1st, 1792, should give an account to a magistrate of the district where he lived, of his name, rank, occupation, or description, and of the weapons, arms, and ammunition, which he possessed; that every alien, who should hereafter arrive, should give to the officer of the port, at

* On the 18th of the preceding May, the national assembly had passed a decree relative to strangers resident in France, similar in principle to this bill.

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which he landed, a similar account, and also of the place where he had principally resided during the preceding six months, and of the place to which he was going; that he should give up all arms except such as might be wanted for defence or dress, and should not leave the port at which he landed, or the place of his residence afterwards, without a passport; that his majesty might prohibit the landing of foreigners entirely, or direct that they should be landed only at certain ports; that his majesty might appoint the places where aliens should reside; and that copies of the above accounts received from aliens by magistrates or by port-officers, and of all passports, should be transmitted to the secretary of state.

Those members, who denied, that there was any connexion between French emissaries and disaffected persons in this kingdom, and who maintained, that there was no danger of any interruption to the public tranquillity from the proceedings either of our own countrymen or of foreigners, objected to this bill, contending, that it was unprecedented, and that no proof of its necessity had been laid before parliament. It was admitted in reply, that there was indeed no precedent for the measure: but it was asserted, that the present crisis was also new and unprecedented; that this bill was called for by the known general situation of this country, and of France; and that to bring any particular proof of its necessity might defeat its object; that it was a measure of precaution and self-defence, calculated to counteract the machinations of the enemies of our constitution; that within a few days some of the members of the national convention had been in London, and even some of the assassins of the 2d of September: it was asked,

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whether under such circumstances, the executive government ought to remain, without a clear and defined power of controlling foreigners, and of guarding against their pernicious designs, either by sending them out of the country, or by subjecting their residence in it to strict regulation?

It was farther urged, that while other nations were compelled by their fears to refuse an asylum alike to the guilty and to the unfortunate, to the harmless and to the mischievous, this bill enabled Great Britain to extend her hospitality to those, whom anarchy, injustice, and the most imminent personal danger, had driven from their homes, without exposing herself to the evils and calamities which had desolated France: this was, therefore, a measure not of rigor and oppression, but of benevolence and humanity; it received and protected the innocent and meritorious sufferer, while it rejected and expelled the rebel and assassin.

It may be justly observed, that it is of the very essence of a free constitution, in which the legislative and executive authorities are necessarily distinct and separate, that the legislature should, in extraordinary cases, invest the executive government with extraordinary powers, for the purpose of correcting any existing evil, or of warding off any impending danger. Such power may be unfit to be constantly instrusted to the executive magistrate; and yet, at a particular conjuncture, may be indispensable to the public safety. Upon this principle, the habeas corpus act, that palladium of British liberty, has been repeatedly suspended for a limited time since the revolution. Of the same nature was the alien bill, which was intended to continue in force only till the end of the next

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session; and which was so evidently required by the present situation of the country, and so generally approved, that its opponents, conscious of the smallness of their number, and the unpopularity of their opinion, did not venture to call for a division in either house. It received the royal assent with the three other bills, on the 8th of January; and Mr. Pitt, not considering any other measure to be at present necessary, either for the preservation of public tranquillity, or as a defensive preparation against the hostile designs of France, proposed, that the house should adjourn to the 23d of January, to which no objection was made.

The most remarkable circumstance, which attended these debates, was, the support given to administration by several members of both houses, of distinguished talents and of great influence, alluded to in a former chapter, who had hitherto opposed Mr. Pitt; and who now declared, that the principles avowed, and the sentiments expressed by Mr. Fox, relative as well to the affairs of France as to the situation of our own country, rendered it impossible for them to act with him upon the present occasion. Alarmed by the danger which threatened the kingdom, both from external and internal enemies, they conceived, that party spirit should be laid aside, and that all men, of all descriptions, forgetting former differences and contentions, should, from a sense of public duty, unite in supporting government, as the most effectual means of preserving the constitution, and maintaining the independence of the nation. They acknowledged, that the change of administration, which they had been so long laboring to effect, was no longer to be desired, as no person could be found, who enjoyed

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the confidence both of the crown and of the people, in the same degree as the present minister; a consideration of the utmost importance at a time of foreign war and domestic disaffection. This was a subject frequently mentioned; and Mr. Fox uniformly spoke of his old friends, who now disclaimed him, with great temper and moderation. He regretted the want of their concurrence with him, upon the measures which were then depending; but he did not, he said, see any such disagreement, as should make it necessary for them to dissolve the political connexion, which had subsisted so many years. He endeavored to convince them, that they were deluded by the artifices of the minister, and misled by groundless fears of danger. He reminded them of the strong objections they had formerly felt and urged against the mode, by which Mr. Pitt came into office; and represented the inconsistency, of which they would be guilty, if, after so long an opposition, they should give him that systematic support, which some gentlemen pretended to be requisite, in the present situation of the country. This was unquestionably very politic conduct in Mr. Fox; but there was in reality a fundamental difference between him and the persons to whom he alluded, upon points, which involved the security of every public and every private blessing, and superseded all other considerations: it was a difference upon principle, which prevented their future re-union, and deprived Mr. Fox of his most repectable and powerful adherents.

It will now be necessary to give an account of several occurrences, which took place between the meeting of parlia-

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ment, and the declaration of war by France, against Great Britain.

On the first of December, a French frigate, and several armed vessels, sailed up the Scheldt, in defiance of the remonstrances of the captain of the Dutch guard ship, stationed at the mouth of the river, for the purpose of bombarding the citadel of Antwerp; and this act, being contrary both to express treaties, and to the law of nations, was, in fact, an avowal of a determination in the executive council, to go to war with Holland, and consequently with England, on account of the known connexion and alliance between those two countries.

On the 15th of December, the convention declared, by a formal decree, that the principles upon which they acted, would not allow them to acknowledge any institution militating against the sovereignty of the people; and therefore they ordered their generals, in all countries, which were, or should be hereafter, occupied by the French armies, to proclaim, in the name of the French nation, the sovereignty of the people, the suppression of all existing authorities and privileges, and the repeal of all taxes and public contributions; to establish a provisional government, upon democratic principles; and to seize, on the account of the French republic, all property belonging to the treasury, to the church, and to the prince or his adherents: —which was an unequivocal declaration of a design not to acknowledge any kingly government, and to overturn the constitution of every country, into which the power of France should extend. The decree farther declared, that the French nation would treat as an enemy, that people, who, rejecting or

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renouncing liberty and equality, should choose to preserve, recal, or treat with, its prince and privileged orders:—which was a declaration of war against every nation that refused to take up arms against its lawful sovereign. This decree, as well as that of the 19th of November, to which it was a sequel, were known to be particularly directed against England *.

On the 24th of the same month, M. Baraillon, one of the few temperate members of the national convention, observed, that the decree of the 19th of November had caused uneasiness to the British ministers; and therefore he proposed a supplementary clause for confining it to those nations, with which the French should be actually at war: but the previous question being demanded, without any debate, the proposal was virtually rejected by a vote, that there was no room for deliberation upon the subject.

One of the numerous French agents in London, assured Mr. Miles, at the end of November, that he was commissioned by the executive council, to treat with the British ministers, relative to the differences between Great Britain and France, and requested, that Mr. Pitt might be informed of his desire to wait upon him, for that purpose; but, at the same time, he would not allow his name to be mentioned. Mr. Pitt, upon receiving this communication, consented to see the person, without knowing his name; but, before the day fixed for the

* Mr. Miles, who lived many years upon the continent, and was employed by Mr. Pitt to procure secret intelligence, said, "I have reason to believe, that these decrees were levelled at this country, in consequence of the delusion which prevailed in France, that we were on the eve of an insurrection in England, and that the promise of support would instantly produce an explosion."

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interview arrived, a friend of Mr. Pitt saw the person at the house of Mr. Miles, and, upon questioning him, discovered, that he had no authority or instruction whatever, from the executive council. This man, however, said, that there was another person, M. Maret, in London, fully empowered to enter into a negotiation with the English government. Mr. Pitt, having understood, that M. Maret was confidentially employed by M. le Brun, the French minister for foreign affairs, agreed to receive him on the 2d of December. At this interview, it appeared that M. Maret had in reality no authority to treat; but he declared his firm belief, that the executive council was desirous of setting on foot, a friendly explanation, through private agents, without any official character. Mr. Pitt replied, that such a mode of explanation was much to be wished, as the most probable means of avoiding those extremities, which the conduct and designs of France gave great reason to apprehend; and he particularly mentioned the decree of the 19th of November, and the announced intention of opening the Scheldt, as clear indications of a hostile disposition, on the part of France. The conversation ended, by M. Maret's promise to inform M. le Brun immediately, of Mr. Pitt's readiness to enter into a negotiation with any person, duly authorized by the executive government; and it was evident, that M. Maret himself expected to be appointed. He waited upon Mr. Pitt again, after the return of his courier from Paris, and stated, that the executive council declined giving the required power to any private individual, as their intentions might be known through M. Chauvelin, who was properly accredited at the court of London. Mr. Pitt observed, that M. Chauvelin was not accredited; and M. Maret,

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after some general remarks upon the situation of the two countries, and expressions of personal civility, took his leave. Le Brun, in reporting this transaction, represented to the national convention, that Mr. Pitt had, through fear, solicited a conference with the secret agents of the executive council, but that he (Le Brun) had forbidden them to hold any communication with the English minister.

These facts fully show, on the one hand, Mr. Pitt's eagerness to omit no opportunity, which afforded the remotest chance of preventing a rupture with France; and on the other, the determination of the executive council not to adopt any proposal, which should, in the slightest degree, endanger their favorite plan of war with Great Britain. They knew that M. Maret was himself, disposed to peace; and therefore they considered him very unfit to act as a negotiator. They soon afterwards employed M. Chauvelin, who was far better suited to their purpose.

As the deposition of the king of France, had rendered the credentials of lord Gower no longer of any avail, so the same event had put an end to the diplomatic character of M. Chauvelin, the ambassador of his most christian majesty at the court of London; and letters of recal were actually sent to him, soon after lord Gower's departure from Paris. But M. Chauvelin, instead of obeying the order, represented to the executive council, that though he was ill with the English minister, he was perfectly well with Mr. Fox, and some other members of opposition, and that it would not be prudent in France to lose the fruits of his labors with those gentlemen, and their subsequent services, for a vain form of diplomatic

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etiquette; and the French government, finding, from this representation, as well as from the general tenor of his dispatches, that his views and principles were the same as their own, permitted him to remain in England*. Nor was his continuance here objected to by our ministers, who did not, at this time, despair of the preservation of peace; and were unwilling to take any step, which might be offensive to the new government of France. As he was known to keep up a constant communication with the executive council, lord Grenville declared to him, in the same spirit which had uniformly actuated the British cabinet, that outward forms would be dispensed with by his Britannic majesty, in the discussion of any question relative to explanations, which might be satisfactory and advantageous to both parties; and Mr. Pitt assured him, that he was desirous of avoiding war, and wished to receive a testimony of the same disposition from the French ministry.

This being a virtual acknowledgment, that the present rulers in France were capable of maintaining the relations of amity and peace, which was afterwards confirmed, by what passed

* M. Chauvelin arrived in England as ambassador, in the spring of 1792, and immediately formed a close connexion with the leading members of opposition. Before the negotiation commenced, which will be presently related, he shewed his secret instructions to an intimate friend of Mr. Fox; and he promoted disaffection and hostility to the existing government, by all the means in his power, during his whole residence in England. After the deposition of the king, he said, that if he were not received at St. James's, the height of his ambition would be, to leave England with a declaration of war.—Marsh. Mr. Miles, who was well acquainted with his character, observed, that if a pretext for a quarrel between the two countries had been sought, France could not have selected a fitter object for the purpose than M. Chauvelin.

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between Mr. Pitt and M. Maret, the executive council considered it impossible to decline all negotiation with England; and therefore, on the 27th of December, M. Chauvelin delivered a note to lord Grenville, in which he said, that he was authorized to declare, that it was the desire of the French government to continue on good terms with the court of London *, and to demand of the British ministers, whether France was to consider England, as a hostile or neutral power. Under pretence of removing all ground of complaint against France, on the part of Great Britain, he proceeded to explain the decree of the 19th of November; asserting, that the national convention did not intend to favor insurrections, or espouse the quarrels of a few seditious persons, or endeavor to excite disturbances in any neutral or friendly country; and that the decree was applicable only to those people, who, after having acquired their liberty by conquest†, might request the fraternity and assistance

* "That the French nation have spoken so speciously, and have acted so infamously, is no wonder, because systematic deception is a constituent part of their general plan; but that so many men of talents and penetration could suffer themselves to be duped by their artifices, is really a wonder. Fortunately, however, for Great Britain, our ministers saw more clearly, or we should now have shared the wretched fate which has befallen the Dutch and the Swiss."—Marsh, v. ii. p. 86, who is here speaking of the year 1799. The opposition between the actions and the declarations of the French government, is strongly marked in Marsh's valuable work.

† This expression supposes, that the people have already recovered their liberty, which is directly contrary to the words of the decree, qui voudront recouvrir la liberté, who shall wish to recover their liberty, that is, who shall be desirous of effecting a revolution. Besides, those who had already recovered their liberty without the assistance of France, and were actuated by a "general will," would scarcely afterwards stand in need of the assistance of any foreign power.

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of the French republic, by a solemn and unequivocal expression of the general will. M. Chauvelin said also, that he was charged to declare formally, that France would not attack Holland, while that power confined itself, on its part, within the bounds of strict neutrality.

Having given this explanation upon these two points, he observed, that the only remaining difficulty related to the opening of the Scheldt, a question irrevocably decided by reason and justice *, of little importance in itself, and on which the opinion of England, and perhaps even of Holland, was so well known, as to render it difficult to make it seriously the single cause of war. If, however, the British ministers should consider the opening of the Scheldt a sufficient ground for a rupture, the whole blame and responsibility of the war would rest with them; and France would make this evident by an appeal to the English nation, "a generous and free people, who would not long consent to betray their own interests, by serving as an auxiliary and a reinforcement to a tyrannical coalition."

Lord Grenville, in his answer sent on the 31st of December, observed, that all England saw in the decree of November the 19th, the formal declaration of a design to extend universally the new principles of government adopted in France, and to encourage disorder and revolt in all countries, even in those

* The Dutch territories extended on both sides of the Scheldt for some distance from its mouth, and therefore the exclusive navigation of that part of the river belonged, according to the law of nations, or "reason and justice," to Holland. This right was, moreover, secured to her by a variety of treaties, from 1648 to 1785, when it was last confirmed, and guaranteed to the Dutch by the French themselves.

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which were neutral; and that this design, as far as Great Britain was concerned, was exemplified by the public reception given to the promoters of sedition in this kingdom, and by the speeches made to them by the president of the national convention, precisely at the time of this decree, and on several subsequent occasions: that the explanation now given of this decree, so far from being satisfactory, must be considered as a fresh avowal of those dispositions, which had caused so much uneasiness and jealousy; inasmuch as it reserved to France a right of mixing herself in the internal affairs of this country, whenever she should judge it proper; and on principles incompatible with the political institutions of other nations, contrary to the respect which is reciprocally due from independent states, and repugnant to the conduct of Great Britain, in abstaining, at all times, from any interference whatever in the internal affairs of France.

Lord Grenville farther remarked, that the declaration now made, that France will not attack Holland, so long as that power shall observe a strict neutrality, was expressed nearly in the same terms with that which was made by M. Chauvelin, in the month of June last; since which, a French officer had sailed up the Scheldt, to attack the citadel of Antwerp, notwithstanding the known determination of the Dutch government not to grant that passage, and the formal protest by which they opposed it; and that at the very moment, France, under the name of an amicable explanation, renewed her promise of respecting the independence and rights of England, and her allies, she announced her intention to maintain this open and injurious aggression: that on such a declaration, therefore, no

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reliance could be placed for the continuance of public tranquillity. If it were true, that the question of opening the Scheldt was of little importance, it would serve to prove more clearly, that it was brought forward only for the purpose of insulting the allies of England, by the infraction of their neutrality, and by the violation of their rights, expressly secured to them by the faith of treaties: it was, however, well known, that the utmost importance was attached by the British government to the principles, which France wished to establish by this proceeding, and to the consequences which would materially result from them; and that those principles, and those consequences, would never be admitted by England, but that she was, and ever would be, ready to oppose them with all her force. France, continued lord Grenville, can have no right to annul the stipulations relative to the Scheldt, unless she have also the right to set aside all the other treaties between all the powers of Europe, and all the other rights of England, and of her allies. She can even have no pretence to interfere in the question of opening the Scheldt, unless she were the sovereign of the low countries, or had the right to dictate laws to all Europe. England will never consent, that France should arrogate the power of annulling at her pleasure, and under the pretence of a natural right, of which she makes herself the only judge, the political system of Europe, established by solemn treaties, and guaranteed by the consent of all the powers. This government, adhering to the maxims which it has followed for more than a century, will also never see with indifference, that France shall make herself, either directly or indirectly, sovereign of the low countries, or general arbitress of the rights and liberties of Europe.

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"If France be really desirous of maintaining friendship and peace with England, she must shew herself disposed to renounce her views of aggression and aggrandizement, and to confine herself within her own territory, without insulting other governments, without disturbing their tranquillity, without violating their rights."—"His majesty has always been desirous of peace: he desires it still; but such as may be real and solid, and consistent with the interests and dignity of his own dominions, and with the general security of Europe."

Lord Grenville concluded by informing M. Chauvelin, that he had no answer to give on the subject of the appeal proposed to be made by France to the English nation; and by declaring, that Great Britain, according to that constitution, by which its liberty and its prosperity are secured, and which it will always be able to defend against any attack, direct or indirect, will never have with foreign powers, connexion or correspondence, except through the organ of its king.

This explicit and spirited answer of lord Grenville was transmited to France; and on the 8th of January, Le Brun, the minister for foreign affairs, signed a note in the name of the executive council, addressed to M. Chauvelin, and by him delivered on the 13th, to lord Grenville. In this note, the executive council repeated and defended M. Chauvelin's interpretation of the decree of the 19th of November, and asserted their right and determination to open the Scheldt, as well as their intention to keep possession of the Netherlands during the war, and "as much longer as might be necessary for the Belgians to secure and consolidate their liberty;" and they declared, as their ultimatum, that if their explanations

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upon these points, were not satisfactory to the British ministers, and if the armaments were still continued in the ports of England, the French government would prepare for war.

On the 18th of January, lord Grenville acquainted M. Chauvelin, that M. Le Brun's note was by no means satisfactory, as the explanations contained in it were confined nearly to those points, to which he had already replied, and as it renewed the declaration of the design of the French government to interfere in the internal affairs of other countries, to annul treaties, and to violate the rights of his majesty's allies: to which he added, that to threaten Great Britain with war, because she judged it expedient to augment her forces, and also to declare, upon a former occasion, that a solemn treaty should be broken*, because England adopted, for her own safety, such precautions as already existed in France, could only be considered as new grounds of offence, which, as long as they subsisted, would prove a bar to every kind of negotiation. And, therefore, as it could not promote the object of conciliation, again to discuss the subjects upon which he had before delivered his opinion, he thought it his duty to inform him, in the most positive terms, that his majesty's ministers, although still ready to receive satisfactory explanations from the government of France, would, under existing circumstances, continue all those preparations, which they might

* M. Chauvelin remonstrated against the alien bill, while it was depending in parliament, as an infraction of the commercial treaty; and after it had passed, he declared, that the French republic considered that treaty as no longer binding. He also complained of the steps taken by the English government, to prevent the exportation of corn.

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It is to be observed, that the three main points upon which lord Grenville insisted in this negotiation, namely the decree of the 19th of November, the opening of the Scheldt, and the occupation of the Netherlands, had no reference whatever to the internal form of the French government; and therefore, if it had been the object of the executive council merely to establish and maintain a republic in France, they might safely have conceded every one of those points, which would unquestionably have prevented war with Great Britain. They had no reason to suppose, that the British ministers were inclined to depart from that neutrality, which it was acknowledged they had hitherto strictly observed; and indeed the readiness manifested by Mr. Pitt and lord Grenville, to treat with any person duly authorized by the executive council, was a positive proof of their desire to avoid a rupture with France. Not even a wish was expressed by the English government, upon this or any other occasion, for the restoration of monarchy; nor was a single objection made to any of the proceedings of the national convention, or any of the measures of the French ministers, which did not affect the security and independence of foreign states. But most unfortunately for the peace and happiness of the world, the Jacobins of France were not con-

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tented with overturning the constitution of their own country; nor was their ambition satisfied with the acquisition and peaceable exercise of sovereign power in the antient limits of that kingdom, extensive and populous as it was. They had formed the wildest projects of conquest and aggrandizement; and were unalterably determined to exert the whole strength of France by sea and land, in conjunction with all the secret arts of intrigue, to carry their revolutionary system into every part of Europe. Trusting to the addresses of the democratic societies, presented to the national convention, as speaking the sense of the nation, and relying upon the reports of their own emissaries, they vainly imagined, that the bulk of the English people were dissatisfied with their government; and that the commencement of hostilities on the part of France, would be immediately followed by a general insurrection throughout the kingdom, and by an open declaration of such numbers in favor of republican principles, as might at once cause the overthrow of the constitution*, or at least lead to civil commotions of such extent, as could not fail to promote the success of the French arms.

These designs and these expectations induced the executive council to resolve on war with this country; and the previous negotiation was only intended as some sort of compliance with the usual forms upon such occasions, and to gain time till their plans should be ripe for execution. It might also be imagined

* Many of the leading members of the national convention at this time predicted the speedy "overthrow of royal and noble tyranny in England:"—"Let the head of Louis," said one of them, "fall, and George the third, and his minister Pitt, will feel if their heads rest firm on their shoulders."

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that, by the use of menacing and insulting language in their refusal to give a satisfactory explanation upon the subjects in dispute, the British government might be provoked to commence hostilities, by which the French would have avoided the reproach of being the first aggressors.

From the moment the Jacobins usurped the government of France, they adopted a system of deception in all their proceedings, with respect to foreign countries, unexampled in the history of any civilized nation; and this should always be remembered in reading the professions and assertions in their public and official documents. The correspondence, of which an account has just been given, was, on the part of the executive council, an act of the grossest duplicity; and it exhibited several instances of a total disregard to fact and truth; some of which it may be proper to notice.

Le Brun, in his note, said, "the French republic has renounced, and still renounces, all conquest;" which assertion was made, not only after the conquest of the Netherlands, and of several parts of Germany, but after the incorporation of the duchy of Savoy, which had also been conquered by the French armies, by a formal and unanimous decree of the national convention; and, only three weeks before, Nice, and its territories, were annexed to France with the same unanimity. The French had, likewise, recently commenced hostilities against Geneva and several states of Italy; and secret preparations were at that time making for the invasion of the Swiss cantons. This renunciation, therefore, of conquest was contrary to the prior, the present, and the subsequent conduct of the French government; and the executive council, when

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they directed Le Brun to sign the note to lord Grenville, must have been conscious, that they were giving their sanction to a palpable falsehood.

Le Brun also declared, in the same note, that the French republic would respect the independence of the Netherlands; and, on the next day, the executive council, who had directed this declaration to be made, signed instructions to the commissaries in Belgium, as they called the Netherlands, the object of which was, to reduce the Belgians to a state of absolute dependence upon France; and these commissaries, acting under the instructions they had received, on the 3d of February incorporated Belgium with France, by a formal instrument, which was afterwards confirmed by a decree of the national convention; although one of the commissaries, in writing to Le Brun, admitted, that by far the greater part of the inhabitants were adverse to the incorporation. And they not only united Belgium to France, but they sequestered all the ecclesiastical property, and pronounced it to belong to the nation, without consulting the Belgians themselves upon the subject, and, as it is well known, in direct contradiction to their wishes. It is scarcely possible to conceive conduct more diametrically opposite to professions.

The reluctance of the Belgians to an incorporation with France, seems to have been foreseen by the executive council; for, in their instructions to their commissaries, they declared, nearly in the words of the decree of the 15th of December, "that the French nation would consider as enemies a whole people, who, refusing liberty and equality, should be disposed to treat with a prince and privileged orders." This conduct of

the French government towards the Austrian Netherlands, was a practical example of the universal right, which the convention had asserted, to conquer and annex to France any country, which had hitherto been subject to another power, or to overthrow any constitution, which even the people themselves wished to preserve; and could not possibly be reconciled with M. Chauvelin's explanation of the decree of the 29th of November, in which it was said, "that the French would not interfere in the internal affairs of any country, except where a general wish was expressed for their fraternity and assistance."

To the proofs, which have been already adduced, of the fixed intention of the French government to engage in war with this country, the following circumstances, which occurred subsequently to the commencement of M. Chauvelin's negotiation, may be added; and they will also furnish fresh instances of the duplicity of the French rulers.

The marine minister, Monge, in a circular letter to the sea-ports of France, speaking of the "English republicans," said, "We will fly to their assistance; we will make a descent upon that island; we will hurl thither 50,000 caps of liberty; we will plant there the sacred tree, and stretch out our arms to our brother republicans; the tyranny of their government shall soon be destroyed: may we all be strongly animated with this thought!" This letter, and a resolution of the executive council, sent with it on the 7th of January, the day before Le Brun signed the note to lord Grenville, caused great activity in all the French sea-ports, where it was considered as the signal for an immediate attack upon England; and on the 13th, three days

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after the order was given for the invasion of Holland, an augmentation of 30 ships of the line was made to the French navy, for the avowed purpose of acting against the English; although the French had then in commission more ships than were preparing in the English ports. It seems, therefore, clear, that the French executive council fully expected, that the commencement of hostilities against Holland would be immediately followed by war with Great Britain; and, indeed, the common interests of the two countries, and the treaty known to subsist between them, rendered this inference unavoidable.

Dumourier confessed, that Le Brun, in the early part of January, desired him to pay no regard to the negotiation then depending with England and Holland; meaning, of course, that this negotiation was not intended to produce any effect; and that, in concerting measures for the next campaign, which was then the subject of their deliberations, he was to consider war with those two countries as certain. This determination of the executive council, Dumourier, on the 10th of January communicated to General Miranda, who in his absence commanded the French army in the Netherlands, and directed him to make arrangements with all possible secrecy for invading the Dutch dominions within twelve days; giving him particular instructions with respect to the places he was to attack, and the number of forces he was to employ, according to a plan settled with the French minister *; and authorizing him to raise money for defraying the expences of this expedition, by means of a forced loan at Antwerp, provided the capitalists of that city refused to advance the necessary sum voluntarily. And

* The invasion of Holland did not take place at this time, as will be afterwards mentioned.

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yet, only two days after these secret orders and instructions were given for the invasion of Holland, the convention passed a decree, directing the executive council to inform the British government, that it was the intention of the French republic to maintain peace and fraternity with England, and to respect her independence and that of her allies, so long as they should not attack France: "So daring and so solemn a falsehood," says Marsh, "had probably never been uttered by statesmen of any country, till French philosophy and French republicanism had set religion and honor at defiance."

An introduction to a decree of the 13th of January, mentioned the naval preparations in England, of which the national convention had just received information, as a departure from the character of neutrality hitherto observed by that country with respect to the affairs of France, which must be considered as an authentic acknowledgement, that Great Britain had not been guilty of any provocation or offence at the time France had resolved upon war. It was well known, that the preparations here alluded to, were merely of a defensive nature, caused by the manifest hostile disposition of France, and by no means calculated for any act of aggression, being much inferior to the French naval force actually ready for service.

On the 25th of January, a report was made to the national convention, relative to the organization of the land forces, in which it was proposed, that England should be invaded with an army of 40,000 men; and an expedition was also in contemplation against the Cape of Good Hope, under the command of La Clos, who was afterwards to proceed to the East Indies, join Tippoo Saib, and attack Bengal.

Although the French government had determined upon war,

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as is fully proved by these irrefragable testimonies, M. Chauvelin, by order of the executive council, formally demanded on the 17th of January, that the court of Great Britain should receive him as the accredited minister of the French republic. This application could have been made with no other view, than to afford some pretext for a measure, on which the executive council had long resolved; and the answer must have been anticipated by them. On the 20th, Lord Grenville informed M. Chauvelin, that under the present circumstances his majesty did not think proper to receive his letters of credence; and, on the 23d, the earliest day on which intelligence of the king's refusal could have reached Paris, an order was sent to him from thence to return to France. On the 24th, however, before it was possible for this recal to be known in England, the British ministers, having received information of the execution of the king of France, ordered M. Chauvelin to leave London within eight days.

It appears that General Miranda, from want of sufficient magazines, was not enabled to execute the orders he had received for the immediate invasion of Holland; and therefore the executive council, finding it convenient to carry on their system of duplicity a little longer, pretended that they were desirous of opening a new negotiation both with England and Holland, under the auspices of General Dumourier*. De Maulde† was actually sent to Lord Auckland, the British

* Dumourier confessed, that the executive council had at this time determined upon war with England. Vide lord Auckland's speech in the house of lords on the 9th of January, 1798.

† He had been the French ambassador at the Hague.

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ambassador at the Hague, to propose a conference between him and Dumourier, to which Lord Auckland, knowing the general wishes of his court for peace, consented without hesitation; and having also obtained the consent of the Dutch government to concur in the negotiation, he sent a courier to England for full instructions. On the 26th of January Maret was sent from Paris to London, for the purpose of inquiring, whether the English ministers would treat with Dumourier; and, in case they would, to procure a passport for him. On the road M. Maret met M. Chauvelin returning to Paris; and probably thinking, that his dismissal might cause some alteration in the wishes of the executive council, he wrote to Le Brun from Dover, requesting farther instructions, and acquainting him, that he should wait in London to receive them, before he applied for an interview with the English minister. It has been supposed, that M. Maret, who was not sufficiently in the confidence of the executive council, to be trusted with the real design of his own mission, entertained some hope of being himself empowered to negotiate with the British cabinet; but no answer whatever being sent by Le Brun, he left London, after remaining there eight days, without any communication either with Mr. Pitt or Lord Grenville, except two formal notes to the latter, the one announcing his arrival to take charge of the diplomatic papers of the French envoy, and the other notifying his departure *. In the mean time the English ministers received Lord Auckland's dispatches, and although they had been previously informed of an embargo

* On the 12th of February, Mr. Pitt declared in the house of commons, that M. Maret, during his whole stay in London, had proposed to his majesty's ministers no questions of state whatever.

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being laid on all British vessels and subjects in France, yet they immediately authorized him to enter into a negotiation with Dumourier; and lord Auckland, with as little delay, proposed the 11th of February, as the day for holding the first conference, at which the grand pensionary of Holland was also to have been present. But this conference did not take place; for, on the 1st of February, the national convention, finding their plans now ripe for execution, unanimously* declared war against Great Britain and Holland.

In this declaration of war, nothing is laid to the charge of England, prior to the seventeenth of August, when the British

* The convention was at this time divided into two parties, who were struggling for superiority, of which Brissot and Roberspierre were the respective leaders; but they agreed upon the subject of commencing hostilities against Great Britain. Afterwards, when the war was taking an unfavorable turn for France, these two parties quarrelled, and each reproached the other with having been the cause of this war—an additional proof that its origin is to be ascribed to France.—"The mad ambition of the French rulers, their determination to extirpate all kingly governments, and the confident expectation of insurrection in every part of Europe, aided by the necessity of finding employment for their turbulent armies, were their motives to war in general; and their firm belief, that the inhabitants of Great Britain were so disaffected to their government, that French assistance would induce them to an immediate revolt, the inconsiderable number of troops at that time in Great Britain, in comparison with those which could easily be spared from France, the forward state of the French navy, the persuasion that the landing upon the British coast would be attended with no difficulty, and the immense advantages expected from the acquisition of British wealth, commerce, and marine, in the prosecution of their conquests on the continent;—all these motives added to the innate desire of crushing an ancient and formidable, but at that time despised, rival, induced them to a war with Great Britain in particular *."

* Marsh, v. ii. p. 230.

ambassador was recalled from Paris; since which time the measures of the British government had only been such as were dictated by the principles of precaution and self-defence against the manifestly hostile disposition of France. Indeed the decree of the 13th of January, just now mentioned, acknowledged, that the English had done nothing inconsistent with the character of neutrality to that day, before which it has appeared, that the French themselves had resolved on war with England and Holland; and the measure then complained of was only a moderate augmentation of our navy, which the naval armaments of France had rendered indispensably necessary.

It seems scarcely possible to conceive more satisfactory and convincing proofs respecting any political event, than those, by which it has been here established, that the origin of the revolutionary war is to be attributed solely to France.

As we are now arrived at a marked epoch in Mr. Pitt's administration, it may be right to take a brief review of his principal measures, from the time he was placed at the head of the treasury, towards the end of December 1783, to the declaration of war by France against this country, in the beginning of February 1793.

It will be remembered, that Mr. Pitt was appointed to the situation of prime minister, when he was only in the 25th year of his age, and under circumstances of a very peculiar and formidable nature; that a few days afterwards, by a singular

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act of disinterestedness, he declined an office for life of 3,000*l.* a year, and disposed of it in the manner most conducive to the public good; that he was immediately called upon to resist, almost singly, a band of veteran politicians and powerful debaters, supported by a majority in the house of commons; and that he maintained the most extraordinary parliamentary contest recorded in our history, with a firmness, judgment, eloquence, and ability, which excited universal admiration, procured him the confidence of his sovereign, and of the nation at large; and at length silenced the opposition of that very house of commons, which had at first declared itself so decidedly and so vehemently hostile to his appointment.

Having succeeded in defending the true principles of the constitution against the most violent and dangerous attacks, and being securely seated in office by the defeat and disgrace of his antagonists, he found, that of all the difficulties, under which the country was laboring, the depressed state of its finances was by far the most serious and urgent. The public income was several millions less than the expenditure; there was an unfunded debt of nearly thirty millions, totally unprovided for; and the funds, instead of rising upon the restoration of peace, had fallen fifteen per cent since the preliminaries were signed. Though such was the deplorable condition of the revenue, and of public credit, yet Mr. Pitt, contemplating the resources of the kingdom in his penetrating and comprehensive mind, was convinced of the practicability of raising the public income, till it should not only become equal to the expenditure, but also leave a surplus applicable to the gradual reduction of the national debt; and he boldly determined to

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direct his immediate attention to the attainment of this most desirable purpose.

In the years 1784 and 1785, he funded all the navy and victualling bills, and ordnance debentures, and proposed taxes, which, he calculated, would produce 1,300,000*l.* annually; and in the former of those years, he introduced the commutation act, and other acts for the prevention of smuggling, which had, for some time, been carried on to an extent highly injurious to the revenue. The effect of these measures, and of various economical regulations, was, that so early as the year 1786, the public income, after providing for all the services of every description, afforded a clear annual surplus of 900,000*l.*; and therefore, by proposing additional taxes to the amount of 100,000*l.* a year, he was enabled to bring forward his important plan for establishing a sinking fund of a million a year, to encrease at compound interest, and to be unalienably applied to the redemption of the national debt.

Having accomplished this great and favorite object, he persevered in proposing a variety of other measures, all tending to augment the produce of the revenue. The chief of these were the manifest act, the design of which was to correct the frauds practised in obtaining bounties and drawbacks, and the acts for letting the tax upon post horses by auction, and for subjecting wine and tobacco to the exise laws, which greatly encreased the legal consumption of those articles.

The total increase in the revenue, arising from these numerous measures, and from several important improvements in the mode of collecting existing taxes, amounted to almost four millions a year; and thus the income of the country

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which in 1784, had fallen very short of its expenditure, in 1792 exceeded it by a considerable sum, although in that interval, besides defraying large extraordinary expences, some necessary additions had been made to the annual expenditure, and an effectual sinking fund had been established, which had already discharged 8,200,000*l.* of the public debt.

This excess induced Mr. Pitt to propose, that the sum of 400,000*l.* which remained in the exchequer, after satisfying all demands, should be applied to the redemption of the national debt in 1792, besides the million with its accumulated interest, and that in future 200,000*l.* should be annually added to the sinking fund. In consequence of this excess, he also proposed the repeal of taxes to the amount of 200,000*l.* a year, studiously selecting such as were most burdensome to the bulk of the people; and he intimated his sanguine hope, that the state of the revenue would, at a moderate distance of time, allow a farther repeal of taxes. Nor did he stop there. The augmentation of the revenue, and the confidence in government, having had such an effect upon public credit, as to raise the consols 3 per cent, from 54 to 97, since he came into office, he declared his full expectation, that in the next session, he should be able to propose a reduction in the interest of the 4 per cents, which, with other plans for the benefit of the public, he would unquestionably have accomplished, had peace continued.

So anxious was Mr. Pitt, that nothing should interfere with the operation of the sinking fund, that instead of suffering the expences of the Russian armament, amounting to more than three millions, to be added to the national debt, as a permanent increase, he proposed taxes which should, in four years, dis-

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CHAP. XV. 1793. charge the whole of those expences; thus subjecting himself to the unpleasant task of burdening the people for that period, with taxes six times greater than would have been necessary, if the debt had been funded in the ordinary manner, and to a larger amount than had ever been imposed in any one year: but being convinced, that this mode of defraying these expences would be ultimately for the public benefit, and would convey a high idea of the resources of the country to foreign powers, he did not shrink from the risk of incurring the odium, which might attend its adoption, though nothing of this kind had ever been attempted by any minister, since the commencement of the national debt.

The involved and complicated nature of the duties paid at the custom-house, had long been the subject of complaint; but all former ministers had been deterred from attempting to remedy this evil, which had of course been gradually increasing with the numerous taxes imposed during the American war, not only by the labor which must attend the formation and establishment of a new system, but on account of very serious difficulties arising from the appropriation of several of these duties to the payment, in the first instance, of the interest of particular parts of the national debt. Mr. Pitt undertook the herculean task of consolidating all the duties paid upon every article imported or exported; and the bill he introduced for that purpose, afforded great facility to the transaction of business at the custom-house, relieving merchants both from delay, and from the expence of employing agents. He extended the same principle to the excise and stamps; in the former of which it operated as a considerable

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accommodation to large bodies of tradesmen; and in the latter, to all who were engaged in the profession of the law, and to the public in general. Although additional revenue was not the immediate object of these consolidations, he contrived to make them in some degree useful, even in that respect; and he obviated all the objections relative to the appropriated duties, by an arrangement, which was perfectly satisfactory to every stockholder, and indeed improved, rather than impaired, the security of those public creditors, who had a claim to priority of payment. The whole of this plan met with universal approbation, and was even warmly applauded by the leading members of opposition.

Having, while in opposition, objected to the practice of his predecessors, in distributing beneficial shares of loans, and lottery tickets under the market price, among their private friends and the parliamentary supporters of government, he adopted a new plan of contracting for loans and lotteries, by means of sealed proposals from different persons, which were opened in the presence of each other; and while this competition ensured to the public, the best terms which could be obtained under existing circumstances, it cut off a very improper source of shewing favor to individuals, and increasing ministerial influence.

He introduced a bill for the appointment of commissioners to inquire into the state of the woods, forests, and other crown lands, with a view to the improvement of the landed property belonging to his majesty.

He caused a careful examination to be made into the losses of the American loyalists, and formed a plan, which was very

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generally approved, for making a suitable compensation to those unfortunate and deserving men, according to the nature and extent of their respective claims. Upon his proposal, nearly two millions were unanimously voted by parliament for this equitable purpose; but that the country might not be burdened by raising so large a sum at once, debentures were issued, bearing interest, which were to be gradually discharged by the annual profits of a lottery.

He provided an adequate compensation for those of our countrymen, who suffered any pecuniary loss by the cession of Florida to Spain, in consequence of the treaty of peace.

He introduced a complete and highly useful reform in the mode of advancing money to the heads of the great departments of national expenditure, and of auditing the public accounts; which had the effect of preventing considerable sums from remaining for a long period in the hands of individuals, to the detriment of the public, and of guarding against those frauds and losses, to which the old system was confessedly liable. He also regulated the fees and perquisites received by clerks and others in public offices, and abolished a variety of abuses which created expence and delay, and had long been the subject of most serious complaint. There was not indeed a single office connected with the revenue, in which, under Mr. Pitt's direction, the mode of conducting business was not materially improved; and besides economical and other useful arrangements, and a strict and speedy inquiry into all disbursements for the public service, every part of the national receipt and expenditure was simplified and rendered intelligible, by new methods of making up the accounts, which

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had hitherto been intricate and obscure in the extreme. Financial statements were likewise, upon his suggestion, constantly laid before the house of commons, for the purpose of enabling parliament and the public, to judge of the real situation of the country, with which they had hitherto been but little acquainted.

The only finance measure of Mr. Pitt, which remains to be mentioned, is, that great and beneficial act, which effectually secured the redemption of all future public debts, by requiring, that in every loan hereafter to be made, one per cent should be applied to the reduction of the capital so created. By this regulation, all money borrowed for the public service must, even upon the unfavorable, and almost impossible, supposition of a 3 per cent fund redeemed at par, be repaid in 47 years; and upon every other supposition, in a shorter period. This and the sinking fund bill of 1786, will be lasting monuments of Mr. Pitt's provident wisdom; and the advantages derived from them, ought to endear his memory to the present and every future generation.

Mr. Pitt's strict attention to economy, and his earnest desire to reduce the national debt, did not lead him to a parsimonious retrenchment in any branch of the public service: he directed seven millions to be expended in building and repairing ships, in the four years preceding 1789, after which, farther large sums were employed for the same laudable purpose; and thus he laid the foundation of those splendid and important naval victories, which raised the glory of the nation, and prevented this country from becoming the theatre of war.

The commercial treaty with France, was a work of great

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labor and nicety; and Mr. Pitt accomplished it with such correct attention to all the numerous and complicated interests concerned in the measure, that it gave satisfaction to every description of traders and manufacturers throughout the kingdom.

Commercial treaties were entered into with other foreign powers, the advantages of which, and of Mr. Pitt's various regulations relative to manufactures, trade, and commerce, will best appear by stating a few plain and simple facts.

The average annual importation of tea by the East India company and their officers, previously to 1784, was between five and six millions of pounds; and after the commutation act operated in its full extent, it exceeded twenty millions. In 1783, the value of British goods exported to India, was about 100,000*l.*, and in 1791, it exceeded 600,000*l.* The value of goods imported into this kingdom in 1783, was 13 millions; in 1790, 19 millions. The value of goods exported in the former year, was 15 millions, in the latter 20 millions*; and in the same short period, the number of ships employed in the trade of the kingdom, was increased in the proportion of five to three.

Notwithstanding this great increase in the produce of the taxes, and in the trade of the country, Mr. Pitt, sacrificing his patronage as minister, abolished 441 patent and other revenue offices, which caused a considerable saving to the public; but at the same time, he judged it expedient to raise the salaries of

* This custom house valuation of exports and imports is certainly not accurate; but it serves to shew the proportions in the different years here mentioned, which is the principal object I have in view.

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some of the inferior officers of the customs and excise, for the purpose of removing the temptation to corruption, to which their inadequate pay had before exposed them, and which operated to the detriment both of the revenue and of the fair trader.

The pecuniary embarrassment of the prince of Wales, being brought before the house of commons, by an opposition member, with the avowed approbation of his royal highness, Mr. Pitt prevented any hostile debate upon that delicate subject, by proposing an arrangement to which all parties readily acceded.

The new and extraordinary situation in which the country was placed, by the sudden illness of the king, gave rise to discussions, in which Mr. Pitt was again called upon to stand forward in support of the genuine principles of the constitution. In the year 1784, he had defended the just and legal prerogative of the sovereign; and now he maintained, with equal success, the essential privileges of the people, by asserting the right of their representatives. He carried through the house of commons, a bill for the establishment of a regency, amidst difficulties which required the greatest talents and soundest judgement to surmount; and his conduct upon that unprecedented and trying occasion, raised him still higher in the estimation of all ranks and descriptions of persons.

The bills proposed by Mr. Pitt, for the government of the British possessions in the East Indies, not only relieved the company from present embarrassments, but gradually produced a most advantageous change in the general state

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of their affairs*; and put an end to all those peculations, extortions, and oppressions, which had so long disgraced the name of Britons, and, at last, endangered the very existence of our power in India. The great improvement, which immediately took place, and has ever since continued, in all the concerns of that important part of the empire, without creating any undue influence at home, incontestably established the wisdom of Mr. Pitt's regulations, upon a subject confessedly attended with more than ordinary difficulty, and respecting which opinions of the most opposite nature had been entertained. All subsequent administrations have been studious to persevere in a system, the merit of which they found confirmed by actual experience.

Mr. Pitt introduced a bill for new modelling the government of Canada upon the principles of the British constitution, and for dividing the country into two distinct provinces, which has been the means of preserving that colony in a state of tranquillity, and of increasing its population and trade. This bill also provided for the establishment of a protestant episcopal church in Canada, and for the maintenance of the parochial clergy.

It was Mr. Pitt's anxious desire, to form a commercial intercourse between England and Ireland, which should be beneficial to both countries; but, after much labor and long discussion, he was under the necessity of abandoning the preparatory resolutions, which had passed the parliament of Great Britain for that purpose, in consequence of the arts and mis-

* India stock, which in December 1783, was 119, in November 1792 was 212.

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representations of a faction in Ireland. By the prudent exertions, however, of the Irish government, acting under his directions, a rising spirit of turbulence and disaffection was checked, and public tranquillity preserved in that kingdom.

He failed, also, in his endeavors to introduce a new system of fortifications for the protection of our dock-yards in time of war; the house of commons refusing their assent to the plan he proposed, although sanctioned by the most distinguished officers, both in the naval and military service. But he prevailed upon parliament to allow the erection of additional fortifications in our West Indian islands, as a security against a sudden attack from an enemy.

Disputes having arisen between the English and French subjects in the East Indies, concerning the meaning of one of the articles of the treaty of peace, a negotiation, under the direction of Mr. Pitt, was entered into with the court of Versailles, and an explanatory convention signed, which removed all doubt, and prevented future dissatisfaction.

A convention was likewise signed between the courts of London and Madrid, relative to the evacuation of the Mosquito shore; by which the boundaries of the British and Spanish dominions in that part of the world were defined, and the respective rights of the subjects of the two countries ascertained and settled.

A bill was prepared with Mr. Pitt's sanction, and carried by him through parliament, for establishing a new system of police in the metropolis, which corrected many evils, and has been productive of most beneficial effects.

In the former part of the period, now under consideration,

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Mr. Pitt was a warm, though unsuccessful, advocate for a reform of parliament, which had been a favorite object of his early youth; but in the year 1792, when the most dangerous political doctrines were eagerly circulated, and the most mischievous designs were in contemplation, under the mask of parliamentary reform, he avowed his fixed determination to oppose every attempt of that kind; and by his advice, a royal proclamation was issued, and other steps were taken for the purpose of checking the progress of opinions and practices, which threatened to interrupt the internal peace, and subvert the constitution, of the country.

The impartial and honorable part he took in the debates upon the charges against Mr. Hastings, and his full and able discussion of the great constitutional question of the abatement of impeachments, by a dissolution of parliament, obtained the unreserved applause of his most determined political adversaries.

His zealous and continued exertions, in exposing the injustice and impolicy of the slave trade, materially contributed to the removal of the apprehensions and prejudices, at first entertained upon the subject, and laid the foundation for the entire abolition of that infamous traffic, at a future period. This was a question, which called forth all the sensibilities of his heart; and the speeches, in which he pleaded the cause of the unhappy negroes, are among the most beautiful specimens of his eloquence, abounding in pathos, and lively sallies of imagination, as well as sound and convincing argument.

He successfully opposed repeated motions for the repeal of the corporation and test acts, which were justly regarded as

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the firmest bulwarks of the British constitution; and he manifested his zeal in defence of the national faith, by opposing a motion for the repeal of the penal statutes against those who denied the doctrine of the Trinity; considering these restraints as no infringement of civil rights, or of the true principles of religious toleration, to which no one could be a more sincere friend. CHAP. XV. 1793.

While Mr. Pitt, by a series of most important measures, was improving the internal situation of these kingdoms, supporting the respective rights of the different branches of the constitution, and providing for the security and welfare of our distant possessions, both in the east and in the west, displaying at the same time, a minute and perfect knowledge of the various subjects brought by others, under the consideration of parliament, and resisting all attempts, tending to endanger the established form of government, in church or state, he was equally attentive to every thing passing upon the continent, which could in any degree affect the honor or interest of this country.

By a wise and timely interposition, he was instrumental in restoring the stadtholder to the full enjoyment of that power, of which he had been unjustly deprived, by a predominant faction, and in preventing France from establishing an influence in Holland, which must have been highly prejudicial to Great Britain. By forming a close alliance between Prussia, Holland, and Great Britain, he checked the ambitious projects of Russia and Austria, saved both Sweden and Turkey from ruin; and preserved that balance of power which is essential to the independence and safety of Europe. He vindicated, with becoming spirit, the national dignity, by

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requiring from Spain, full reparation for the insult and injury received by our countrymen, at Nootka; and obtained the acknowledgment of rights, which had long been the subject of jealousy and dispute between the two kingdoms. These repeated instances of vigilance and energy, and the power and vigor displayed in the several armaments, raised Great Britain to the highest degree of credit and influence in foreign courts.

With signal prudence and moderation, and from a real desire for the continuance of peace, he abstained from all interference in the internal concerns of France, and from taking any advantage of the distracted state of that kingdom; disdaining to follow the example of the French ministers, in fomenting the disturbances in America, and in attacking England, when embarrassed and weakened by the war with her own colonies. He rejected all the solicitations of Austria and Prussia; he refused to listen to the applications of the emigrant princes; he declined the offers of the French West India islands; and he strictly complied with the terms of the commercial treaty, not suffering himself to be diverted from this line of just and pacific policy, by insulting decrees, or even by naval equipments. This undeviating observance, however, of neutrality, did not prevent the usurpers of power in France from making every exertion, in equal violation of the law of nations, and of the faith of treaties, to propagate their revolutionary principles in this kingdom, and to excite the people to acts of sedition and rebellion. The success of these endeavors, and the manifestation of a hostile disposition on the part of France, caused parliament to be suddenly assembled, and to pass, upon the recommendation of Mr. Pitt, bills and resolutions for the

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maintenance of public tranquillity, and for the augmentation of the army and navy. At length, on the first of February 1793, war was declared by the national convention, against Great Britain; an event, for which the public had been for some time prepared, and which, they well knew, had not been provoked by any aggressive or unfriendly conduct in our ministers.

Had Mr. Pitt, at an early period of the revolution, proposed to counteract, by open interference, the democratic proceedings in France, or to join in any confederacy of continental powers against that country, it is highly probable, that he would not have been supported, either by the house of commons or by the public—he would not at least have obtained that almost universal concurrence, which was the consequence of England remaining perfectly neuter, and making no warlike preparation whatever, till the conduct of the convention and executive council was such, as to leave no doubt in any unprejudiced mind, with respect to the system they had adopted, of extending their own dominions by foreign conquest, and of subverting, by the joint operation of intrigue and force, every established government in Europe. A similar observation is applicable to the steps, which Mr. Pitt took for securing the internal tranquillity of this kingdom. It was necessary, that the real designs of the seditious societies should be so fully manifest, and the mischievous tendency of their principles so clearly evinced by facts, that the danger, with which the country was threatened, could not be denied by any impartial person, before the people would consent to the strong measures, which were essential to the preservation of the blessings they enjoyed. This jealousy of their liberties belongs to men living under

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a limited monarchy; and therefore Mr. Pitt, though he saw the evil at a distance, and anxiously watched its gradual approach, was yet aware, that time must be given for its coming so near, as to be visible to every common beholder, before it would be wise, or rather practicable, to oppose its farther progress. He perceived the formidable co-operation of external and internal enemies; but the former could not be effectually resisted, except by open war, nor the latter without coercive acts of the legislature; and he was persuaded, that neither of these expedients, exclusive of his own earnest wish not to have recourse to them, would be approved, till their necessity was obvious and incontestable. Let it not then be supposed, that Mr. Pitt, though by no means of a disposition to take premature alarm, did not discern the danger, till he applied to parliament for a remedy: like every other minister of a free country, he was compelled to consult public opinion; and by persisting, with sincere zeal, though with little hope of success, in his endeavors to prevent a rupture, till war was actually declared by France, in the midst of a negotiation for preserving peace, and by abstaining from all extraordinary domestic regulations, till the public tranquillity, notwithstanding every legal precaution, was disturbed by actual insurrection, he convinced both the parliament and the people, that the difficulties, with which the country had to contend, were equally inevitable and alarming; and that nothing but the most vigorous exertions at home and abroad, with additional powers vested in the executive government, could preserve the constitution, and secure the independence of Great Britain.

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The wisdom of Mr. Pitt's conduct, indeed, clearly appeared from the effect it produced upon some of the former opponents of his administration. Nothing but a sense of the most serious public danger, and a conviction of the absolute necessity of strengthening the hands of government, could have induced those respectable members of both houses, who had for nine years acted with the most determined hostility against Mr. Pitt, to stand forward in his support, and to relinquish all connexion with the leader of their party; who, besides other distinguished talents, is known to have possessed, in an extraordinary degree, the faculty of personally attaching to himself his political adherents. The junction of the duke of Portland and his friends with Mr. Pitt, on the present occasion, reflected equal honor upon both; and this sudden change in so large a body of men, whose characters precluded all suspicion, either of unworthy motive or of weak delusion, must be considered as an early and unequivocal testimony in favor of those principles, a perseverance in which is acknowledged to have been the means, under Providence, of saving this kingdom and all Europe, from the galling yoke of Jacobinical tyranny.

Such were the proofs which Mr. Pitt gave, at an age, which added greatly to their effect upon his contemporaries, and must ever render them more interesting to succeeding generations, of consummate ability, undaunted firmness, sound judgment, and honorable policy; and such were his numerous and eminent services to his country, in the first nine years of his administration, during a period of peace. From this time to the end of his life, we shall have to follow him in the wise and

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vigorous conduct of a war, attended with circumstances and difficulties unexampled in the history of the world; and which the prosperity, strength, and resources derived from his former measures, together with his salutary and effectual provisions for war at the time of profound and apparently settled peace, principally enabled the nation to support, and at length to bring to a most brilliant conclusion.

END OF THE SECOND VOLUME.

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